

Introduced by: Presiding Officer Peter Schmitt

LOCAL LAW NO. 15 - 2011

A LOCAL LAW TO AMEND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY
IN RELATION TO PUBLICATION AND NOTICE REQUIREMENTS AND TO DESIGNATE
THE OFFICIAL WEBSITE OF NASSAU COUNTY

FORM APPROVED
Christine C. St.
MAJORITY COUNSEL

Passed by the Nassau County Legislature on December 19, 2011
Voting: ayea: 17 naves: 2 abstained: 0

Became a law on December 22, 2011 with the approval of the
County Executive.

BE IT ENACTED by the County Legislature of the County of Nassau, as follows:

Section 1. §105(1) of the County Government Law of Nassau County is amended to
read as follows:

§ 105. **Procedure; emergency actions; special meeting; publicity of agendas.** The
County Legislature shall establish rules for its proceedings, including rules for the appointment
of all committees not inconsistent with the following provisions:

1. The County Legislature shall act only by ordinance, resolution or local law. No money shall be appropriated, bond issue or other loan authorized, assessment levied, office created, salary fixed, franchise or privilege granted, real property of the county alienated, fine or penalty established, except by ordinance. No ordinance, resolution or local law, except resolutions relating to procedure, or amendment to any ordinance, resolution or local law, shall be passed by the County Legislature by less than ten affirmative votes, unless otherwise provided in this act. Ordinances authorizing the issuance of obligations shall comply with the provisions of the local finance law. No ordinance, resolution or local law, or amendment to any ordinance, resolution or local law, shall be passed, unless such ordinance, resolution or local law, or amendment has been on file with the clerk of the County Legislature in final form for passage for at least one week, and unless the same is entered by number and title on an agenda to be prepared by the clerk of the County Legislature and posted to the official website of Nassau County at least one week prior to said action. No ordinance shall be passed by the County Legislature until the same in final form for passage has been posted to the official website of Nassau County not less than four days prior to the meeting at which final action is to be taken. In addition, no ordinance shall be passed by the County Legislature until the proposed number and title of said ordinance is

published at least once in the official newspapers not less than four days prior to the meeting at which final action is to be taken. All notices published in the official newspapers pursuant to this section shall include a statement that a complete copy of the noticed ordinance or ordinances shall be available for public inspection on the official website of Nassau County and in the office of the clerk of the County Legislature during normal business hours. All resolutions, ordinances and other measures so filed with the clerk of the County Legislature shall be open to public inspection at all times during which the office of the clerk of the County Legislature shall be open.

2. Upon the written recommendation of the County Executive or in his absence or inability to act the Deputy County Executive designated as provided in section two hundred five of this act or upon the written recommendation of the presiding officer of the County Legislature or any ten of its members, the County Legislature may, by thirteen affirmative votes, adopt a resolution setting forth that an emergency described therein exists which makes it necessary to take immediate action on any ordinance, resolution, local law, or amendment to any ordinance, resolution or local law before the County Legislature; provided no such resolution shall ever be passed with relation to any ordinance or amendment to an ordinance granting a public utility franchise or making a renewal, extension or amendment thereof. In such case, the County Legislature may pass the resolution, ordinance, local law or amendment, immediately, anything herein contained to the contrary notwithstanding; provided, however, that in such case the ordinance, resolution or local law shall forthwith be posted to the official website of Nassau County with the resolution setting forth the emergency. In addition, the number and title of the resolution setting forth the emergency and the number and title of the ordinance, resolution or local law passed pursuant to the emergency shall forthwith be published in the official newspapers.
3. Special meetings of the County Legislature may be called at any time by the County Executive, by the presiding officer, or by any ten county legislators, upon not less than twelve hours' actual notice effected by any means of communication, or upon written notice delivered at the place of residence of each legislator not less than twenty-four hours before the time of the proposed meeting.
4. In the month of January of each year, the County Legislature shall determine its calendar of meetings for the remainder of such year.
5. Any person who resides in the county may file with the County Legislature a notice stating his name, residence and post office address, and thereupon, and the same day that each agenda is posted to the official website of Nassau County, the clerk of the County Legislature shall mail to each person filing such notice, directed to such person at the post office address therein stated, a copy of each agenda, and also notices of all special meetings of, and hearings before, the County Legislature. The postage required for the mailing as herein required shall be paid in advance by the person to whom the same is mailed. The records of the

County Legislature relating to the procedure of the County Legislature on matters placed or to be placed upon the agenda and any and all actions taken and proceedings had by the County Legislature shall be available for inspection during office hours of the clerk of the County Legislature.

§2. §2211 of the County Government Law of Nassau County is amended to read as follows:

§ 2211. Official Nassau County website and official newspapers.


- a) The official website of Nassau County shall be www.nassaucountyny.gov, including any interconnected webpages prepared and maintained by Nassau County.
- b) The member or members of the Board of Supervisors representing, respectively, the two political parties whose candidate for governor received the highest and next highest number of votes in the county at the last general election at which a governor was chosen, or a majority of such members representing, respectively, each of such political parties, shall on or before January fifteenth in each year designate in writing a newspaper published daily and having an average daily paid general circulation of not less than fifty thousand within the county, to be an official newspaper of the county for the ensuing year or until its successor is designated, and such designation shall be filed with the clerk of the Board of Supervisors. If there be no member of the Board of Supervisors representing either of such political parties, the designation of an official newspaper which would have been made by such member or members shall be made by the chairman of the county committee of such party in like manner and with like effect as a designation by the members of the Board of Supervisors representing such party. All notices, other than notices relating to the sale of property for taxes which shall be published as now or hereafter provided by law, required to be published by this act or otherwise by law, shall be published in the official newspapers designated as provided above and in such other publications as the County Executive may, from time to time, determine unless otherwise provided by the local finance law.

§3. Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

§4. SEQRA Determination. It is hereby determined by the Nassau County Legislature, the lead agency, and pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 NYECL section 0101 et seq. and its implementing regulations, Part 617 of 6 NYCRR, and Section 1611 of the County Government Law of Nassau County, that this Local Law will not have a significant impact on the environment and that no further environmental review or action is required.

§5. Effective Date: This law shall take effect immediately.

APPROVED



County Executive

DATE 12/22/11