

Intro No. 48
Date 9/19/24
Reviewed by CNS
Co. Attorney
Date 8/27/24

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2024-362
Date Adopted 9/19/2024
Effective Date 10/2/2024

Sponsored by: County Administration, Personnel and Economic Development, Education & Culture Committees

Seconded by: Hon. Greg W. Baldwin

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 1 OF 2024, ENTITLED: "A LOCAL LAW AMENDING CHAPTER A1501 OF THE BROOME COUNTY ADMINISTRATIVE CODE"

WHEREAS, it is desired to update the minimum qualifications for the Commissioner of Planning and Economic Development as defined in the Broome County Administrative Code, now, therefore, be it

RESOLVED, that Local Law Intro. No. 1 of 2024, entitled: "A Local Law Amending Chapter A1501 of the Broome County Administrative Code," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Administrative Code and all the applicable statutes and laws pertaining thereto.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Deputy Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 19th day of September, 2024, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 20th day of September, 2024.

Date sent to County Executive: September 20, 2024
Approved [Signature]
County Executive
Date 10/2, 2024

[Signature]
Deputy Clerk, County Legislature
County of Broome

LOCAL LAW INTRO. NO. 1 Of 2024

A Local Law Amending Chapter A1501 of the Broome County Administrative Code

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

Section 1 § A1501 is amended as follows:

§ A1501 Department of Planning and Economic Development, Commissioner.

There shall be a Department of Planning and Economic Development headed by a commissioner. The method of choosing the Commissioner shall be as provided in § C1501 of Article XV of the Charter. The Commissioner shall either:

(A) [Be a graduate of an accredited college or university with a bachelor's degree in planning or a related professional field and have not less than four years' administrative or consultant experience in the field of metropolitan, regional, county or municipal planning; or] Be a graduate from a regionally accredited or New York State registered college or university with a master's degree in planning, public administration, business administration, economics, marketing, or related professional field and four (4) years administrative or consultant experience in the field of metropolitan, regional, county, or municipal planning or experience in economic development, housing development or related experience, 2 of which included supervisory experience OR

(B) [Have a satisfactory equivalent combination of training and experience.] Have a Bachelor's Degree in planning, public administration, business administration, economics, marketing, or related professional field and five (5) years administrative or consultant experience in the field of metropolitan, regional, county, or municipal planning or experience in economic development, housing development or related experience, 3 of which included supervisory experience OR

C) Have a satisfactory equivalent combination of training and experience.

Section 2: This Local Law shall take effect upon filing with the Secretary of State.

Intro No. 49
Date 9/19/24
Reviewed by CDS
Co. Attorney
Date 8/27/24

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2024-363
Date Adopted 9/19/2024
Effective Date 10/2/2024

Sponsored by: County Administration and Finance Committees

Seconded by: Hon. Scott D. Baker

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2 OF 2024, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 185 OF THE BROOME COUNTY CHARTER AND CODE IMPOSING A TAX ON THE OCCUPANCY OF HOTEL OR MOTEL ROOMS"

WHEREAS, this County Legislature, by Resolution 467 of 2007, adopted Local Law Intro No. 9 of 2007, entitled: "A Local Law Amending Chapter 185 of the Broome County Charter and Code Imposing a Tax on the Occupancy of Hotel or Motel Rooms", and

WHEREAS, said local law imposed a tax of 5% upon the rent for every occupancy of a room or rooms in a hotel or motel in the county, except upon a permanent resident or exempt organization, and

WHEREAS, the intent of the tax is to promote Broome County and its cities, towns and villages in order to increase convention, trade shows, tourist business and economic development in the County, and

WHEREAS, three fifths of revenues resulting from the imposition of the tax under this article is to be paid into the treasury of the county and is credited to and deposited in the general fund of the county and is thereafter to be allocated at the discretion of the Broome County Legislature for any county purpose in order to increase conventions, trade shows and tourist business. Two fifths of revenues resulting from the imposition of said tax is to be deposited in a special account known as the "county economic development initiative fund" and is to be marked separate and apart from any other funds and accounts of the county. The Broome County legislature shall designate the specific purpose for which these funds may be used, and

WHEREAS, imposition of said tax commenced October 1, 2007 and by Resolution 470 of 2021, Local Law Intro. 9 of 2021 expires on December 31, 2024, and

WHEREAS, this County Legislature desires to extend the hotel motel occupancy tax for another three year period, expiring December 31, 2027, now, therefore, be it

RESOLVED, that Local Law Intro. No. 2 of 2024 entitled: "A Local Law Amending Chapter 185 of the Broome County Charter and Code Imposing a Tax on the Occupancy of Hotel or Motel Rooms," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Deputy Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 19th day of September, 2024, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 20th day of September, 2024.

Date sent to County Executive: September 20, 2024

Approved [Signature]
County Executive

Date 10/2, 2024

[Signature: Carol Hall]
Deputy Clerk, County Legislature
County of Broome

LOCAL LAW INTRO. NO. 2 of 2024

**“A LOCAL LAW AMENDING CHAPTER 185 OF THE BROOME COUNTY CHARTER AND
CODE IMPOSING A TAX ON THE OCCUPANCY OF HOTEL OR MOTEL ROOMS”**

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

Section 1. Section 185-30 When effective, expiration

The tax herein imposed shall be effective for the period of three years and shall expire on December 31, **[2024]** 2027, unless further extended by subsequent action of the Broome County Legislature.

Section 2. This Local Law shall be effective January 1, 2025.

Material bold **[brackets]** deleted

Material bold underlined added

Intro No. 50
Date 9/19/24
Reviewed by CDS
Co. Attorney
Date 8/27/24

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2024-364
Date Adopted 9/19/2024
Effective Date 10/2/2024

Sponsored by: County Administration and Finance Committees

Seconded by: Hon. Mary A. Kaminsky

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3 OF 2024, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 257-40 OF THE BROOME COUNTY CHARTER AND CODE"

WHEREAS, it is desired to amend the Schedule of County Fees for Delinquent property tax collection, title search, per parcel, from \$150 to \$250, now, therefore, be it

RESOLVED, that Local Law Intro. No. 3 of 2024 entitled: "A Local Law Amending Chapter 257-40 of the Broome County Charter and Code" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Deputy Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 19th day of September, 2024, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 20th day of September, 2024.

Date sent to County Executive: September 20, 2024

Approved [Signature]
County Executive

Date 10/2, 2024

[Signature]
Deputy Clerk, County Legislature
County of Broome

LOCAL LAW INTRO. NO. 3 of 2024

“A LOCAL LAW AMENDING CHAPTER 257-40 OF THE
BROOME COUNTY CHARTER AND CODE”

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

Section 1. 257-40 Fee Schedule is amended in part as follows:

§ 257-40 Fee Schedule

The following is a compilation of Broome County fees:

| Permit/Document Action | Fee |
|--|---------------------------|
| Miscellaneous Fees | |
| Alarm system registration (§ 199-2) | \$5 |
| Duplicate tax bills (§330-6) | \$2 |
| Delinquency property tax collection, title search (§330-42) per parcel | <u>\$250</u> [150] |
| Highway work permit | \$45 |

Section 2. This Local Law shall become effective upon filing with the Secretary of State.

Material bold **[brackets]** deleted

Material bold **underlined** added

Intro No. 51
Date 9/19/24
Reviewed by Co. Attorney CDS
Date 9/3/24

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2024-365
Date Adopted 9/19/2024
Effective Date 10/2/2024

Sponsored by: County Administration and Public Safety & Emergency Services Committees

Seconded by: Hon. Scott D. Baker

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4 OF 2024, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 337 OF THE BROOME COUNTY CHARTER AND CODE"

WHEREAS, this County Legislature, by Resolution 480 of 2019 established the Demonstration Program Imposing Owner Liability for Failure of an Operator to Stop for a School Bus Displaying a Red Visual Signal and Stop-Arm, and

WHEREAS, the Office of Emergency Services desires to incorporate recent amendments enacted in the New York State Vehicle and Traffic Law, now, therefore, be it

RESOLVED, that Local Law Intro. No. 4 of 2024, entitled: "A Local Law Amending Chapter 337 of the Broome County Charter and Code," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

COUNTY OF BROOME)
STATE OF NEW YORK) ss:

I, the undersigned, Deputy Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 19th day of September, 2024, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 20th day of September, 2024.

Date sent to County Executive: September 20, 2024

Approved [Signature]
County Executive

[Signature]
Deputy Clerk, County Legislature
County of Broome

Date 10/2, 2024

A LOCAL LAW AMENDING CHAPTER 337 OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE

Section 1. Chapter 337 of the Broome County Charter and Code is amended in part as follows:

337-4. Notice of Liability.

a. A notice of liability shall be sent by first class mail to each person alleged to be liable as an owner for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein.

b. A notice of liability shall contain the name and address of the person alleged to be liable as an owner for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law, the registration number of the vehicle involved in such violation, the location where such violation took place, the date and time of such violation, **[and] the identification number of the [camera] school bus photo violation monitoring system which recorded the violation or other document locator number and the registration number of the school bus on which the school bus photo violation monitoring system which recorded the violation was installed.**

c. A notice of liability shall contain information advising the person charged of the manner and the time in which he or she may contest the liability alleged in the notice. Such notice of liability shall also contain a warning to advise the persons charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.

337-5. Owner Liability.

a. The demonstration program established hereunder shall provide that the owner of a vehicle shall be liable for a penalty imposed pursuant to this local law if such vehicle was used or operated with the permission of the owner, express or implied, in violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law and such violation is evidenced by information obtained from a school bus photo violation monitoring system; provided however that no owner of a vehicle shall be liable for a penalty imposed by subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law where the operator of such vehicle has been convicted of the underlying violation of subdivision (a) of Section 1174 of the Vehicle and Traffic Law. For purpose of this subsection, there shall be a presumption that such vehicle was used and operated with the consent of the owner at the time it was used and operated in violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law.

b. If an owner receives a notice of liability pursuant to this local law for any time period during which the vehicle was reported to the police as having been stolen, it shall be a valid defense to an allegation of liability for a violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this local law that the vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subdivision, it shall be sufficient that a certified copy of the Police report be submitted to the court having jurisdiction.

c. An owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to this local law shall not be liable for the violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law, provided that he or she sends to the Court of Competent Jurisdiction a copy of the rental, lease or other such contract document covering such vehicle on the date of the violation, with the name and address of the lessee clearly legible, within 37 days after receiving notice from the agency of the date and time of such violation, together with the other information contained in the original notice of liability. Failure to send such information within such 37-day time period shall render the owner liable for the penalty prescribed by this local law. Where the Lessor complies with the provisions of this paragraph, the lessee of such vehicle for purposes of this section, shall be deemed to be the owner of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for the purposes of this section, shall be subject to liability for the violation of subdivision (a) of section 1174 of the New York Vehicle and Traffic Law pursuant to this local law and shall be sent a notice of liability pursuant to section 4 of this local law.

d. A certificate, sworn to or affirmed by a technician employed by the County, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotapes, other recorded images produced by a school bus photo violation monitoring system, **and other documents or declarations pertaining to inspections by the department of transportation**, shall be prima facie evidence of the facts contained therein. **Such certificate, or a facsimile thereof, shall provide the identification number of the school bus photo violation monitoring system which recorded the violation, a statement confirming that at the time such violation was recorded by such school bus photo violation monitoring system, such school bus photo violation monitoring system was installed on a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter as evidenced by a valid certificate of inspection issued to such school bus by the department of transportation pursuant to section one hundred forty of the transportation law and the safety rules and regulations promulgated thereunder, and the registration number of the school bus to which such school bus photo violation monitoring system was attached.** Any photographs, microphotographs, videotapes, other recorded images evidencing such a violation shall **include a recorded image of the outside of the motor vehicle involved in such violation, the registration number of such vehicle, at least one activated school bus stop-arm, and an electronic indicator or indicators showing the activation of the flashing red signal lamps of the school bus to which the school bus photo violation monitoring system producing such photographs, microphotographs, videotape or other recorded images was installed at the time such violation occurred, and shall** be available for inspection in any proceeding to adjudicate the liability for such violation. **Where recorded images from a school bus photo violation monitoring system attached to a school bus, as certified pursuant to this subdivision, show the activation of at least one school bus stop-arm and an electronic indicator or indicators as required pursuant to this subdivision, there shall be a rebuttable presumption that such school bus was stopped for the purpose of receiving or discharging any passengers or because a school bus in front of it had stopped to receive or discharge any passengers. A certificate, sworn to or affirmed by a technician employed by the county, city, town or village in which the charged violation occurred, or a facsimile thereof, after reviewing evidence that on the day the charged violation occurred such school bus had a valid certificate of inspection issued by the department of transportation pursuant to section one hundred forty of the transportation law and the safety rules and regulations promulgated thereunder, shall be prima facie evidence that such school bus was marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter and the flashing red signal lamp of such school bus was in operation at the time the violation occurred.**

Section 2. Effective Date

This local law shall take effect immediately upon final adoption and shall remain in full force and effect until December 1, **2029 [2024]**.

[Bold Brackets] Deleted
Bold Underlined Added

Intro No. 52
Date 9/19/24
Reviewed by CDS
Co. Attorney
Date 9/3/24

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2024-366
Date Adopted 9/19/2024
Effective Date 10/2/2024

Sponsored by: County Administration, Public Safety & Emergency Services and Finance Committees

Seconded by: Hon. Louis P. Augustini

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5 OF 2024, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 257 OF THE BROOME COUNTY CHARTER AND CODE"

WHEREAS, this County Legislature, by Resolution 477 of 2011, as amended, adopted the Traffic Ticket Diversion Program for the Office of the District Attorney, and

WHEREAS, said Program expires on December 31, 2024, and

WHEREAS, the District Attorney has requested amendments to the Traffic Ticket Diversion Program, now, therefore, be it

RESOLVED, that Local Law Intro. No. 5 of 2024, entitled: "A Local Law Amending Chapter 257 of the Broome County Charter and Code," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Deputy Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 19th day of September, 2024, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 20th day of September, 2024.

Date sent to County Executive: September 20, 2024

Approved [Signature]
County Executive

Date 10/2, 2024

[Signature]
Deputy Clerk, County Legislature
County of Broome

LOCAL LAW PERMANENT 5 OF 2024

"A LOCAL LAW AMENDING CHAPTER 257 OF THE BROOME COUNTY
CHARTER AND CODE"

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

Section 1. That Section 257-7 of the Broome County Charter and Code is hereby adopted to read as follows:

§257-7 Traffic Ticket Diversion Program

- A. The fees and charges collected by the Program, and the violations eligible for the Program, shall be at the discretion of the District Attorney, provided however the fees and charges shall not exceed the amount of five hundred dollars (\$500) per violation.
- B. The initial ~~[one]~~ two hundred thousand dollars ~~[(\$100,000)]~~ \$200,000 collected by the Program in each calendar year, shall be deposited into the District Attorney's general operating budget using account 06000001.5000245.1010.
- C. Any additional fees or charges collected by the Program, shall be deposited into the District Attorney's Traffic Diversion Program 06030001.5000245.1010, to be maintained by the Office of Management and Budget, and the funds shall be used as directed by the District Attorney for administration of the Program, aid to law enforcement, aid to prosecution, crime prevention programs, victim services, education and drug treatment programs.

Section 2. The District Attorney is required to report quarterly to the Broome County Finance Committee and shall file with the Clerk of the County Legislature a written report, including any and all receipts and expenditures for the Traffic Ticket Diversion Program. Such report shall become a public record in the office of the Clerk of the County Legislature, and copies thereof shall be made available by such Clerk for distribution.

Section 3. The Comptroller shall conduct an annual audit of the DA Traffic Diversion Program.

Section 4. This Local Law shall be effective upon filing with the Secretary of State and shall apply to traffic violations occurring on or after January 1, 2016 and shall be repealed and expire on December 31, 2026 ~~[4]~~.