

LOCAL LAW NO. 1 OF 1999

A LOCAL LAW FIXING THE COMPENSATION FOR THE MEMBERS OF THE ORANGE COUNTY LEGISLATURE, PURSUANT TO SECTION 2.02(s) OF THE ORANGE COUNTY CHARTER.

Be it enacted by the County Legislature of the County of Orange, State of New York, as follows:

Section 1. The annual compensation for the members of the Orange County Legislature without reference to other provisions of law shall be as follows:

- 1999 - \$16,000
- 2000 - \$17,000
- 2001 - \$18,000

Section 2. The annual compensation for each member of the Orange County Legislature, as increased pursuant to Section 1. hereof, shall be payable as of January 1, 1999, January 1, 2000 and January 1, 2001, respectively.

Section 3. This Local Law shall supersede all other prior local laws and contrary provisions with respect to the annual compensation for each of the members of the Orange County Legislature.

Section 4. This Local Law shall take effect and shall be subject to referendum on petition as provided in Section 24 of the Municipal Home Rule Law.

Local Law No. 1 of 1999 was passed December 3, 1998 by the following roll call vote:

- Ayes: 11
- Noes: 8
- Absent: 2

Approved by the County Executive: December 23, 1998

Effective: February 25, 1999

LOCAL LAW NO. 2 OF 1999

A LOCAL LAW FIXING THE COMPENSATION OF THE CHAIR OF THE ORANGE COUNTY LEGISLATURE, PURSUANT TO SECTION 2.02(s) OF THE ORANGE COUNTY CHARTER.

Be it enacted by the County Legislature of the County of Orange, State of New York, as follows:

Section 1. The annual compensation of the Chair of the Orange County Legislature without reference to other provisions of law, shall be as follows:

- 1999 - \$27,000
- 2000 - \$28,000
- 2001 - \$29,000

Section 2. The annual compensation of the Chair of the Orange County Legislature, as increased pursuant to Section 1. hereof, shall be payable as of January 1, 1999, January 1, 2000 and January 1, 2001, respectively.

1999 ----- LOCAL LAWS OF ORANGE COUNTY ----- 1999

Section 3. This Local Law shall supersede all other prior local laws and contrary provisions with respect to the annual compensation paid to the Chair of the Orange County Legislature.

Section 4. This Local Law shall take effect and shall be subject to referendum on petition as provided in Section 24 of the Municipal Home Rule Law.

Local Law No. 2 of 1999 was passed December 3, 1998 by the following roll call vote:

Ayes: 13
Noes: 6
Absent: 2

Approved by the County Executive: December 23, 1998

Effective: February 25, 1999

LOCAL LAW NO. 3 OF 1999

A LOCAL LAW FIXING THE COMPENSATION FOR THE MAJORITY AND MINORITY LEADERS OF THE ORANGE COUNTY LEGISLATURE, PURSUANT TO SECTION 2.02(s) OF THE ORANGE COUNTY CHARTER.

Be it enacted by the County Legislature of the County of Orange, State of New York, as follows:

Section 1. The annual compensation of each of the Majority and Minority Leaders of the Orange County Legislature without reference to other provisions of law shall be as follows:

1999 - \$20,000
2000 - \$21,000
2001 - \$22,000

Section 2. The annual compensation of each of the Majority and Minority Leaders of the Orange County Legislature, as increased pursuant to Section 1. hereof, shall be payable as of January 1, 1999, January 1, 2000 and January 1, 2001, respectively.

Section 3. This Local Law shall supersede all other prior local laws and contrary provisions with respect to the annual compensation for each of the Majority and Minority Leaders of the Orange County Legislature.

Section 4. This Local Law shall take effect and shall be subject to referendum on petition as provided in Section 24 of the Municipal Home Rule Law.

Local Law No. 3 of 1999 was passed December 3, 1998 by the following roll call vote:

Ayes: 13
Noes: 6
Absent: 2

Approved by the County Executive: December 23, 1998

Effective: February 25, 1999

LOCAL LAW NO. 4 OF 1999

A LOCAL LAW FIXING THE COMPENSATION OF THE COUNTY EXECUTIVE OF THE COUNTY OF ORANGE.

Be it enacted by the County Legislature of the County of Orange, State of New York, as follows:

Section 1. Act No. 49 of 1989 entitled "An Act fixing the compensation of the County Executive of the County of Orange" is hereby further amended as follows:

- 1999 - \$ 90,000
- 2000 - \$ 95,000
- 2001 - \$100,000

Section 2. The annual compensation of the County Executive of the County of Orange, as increased pursuant to Section 1. hereof, shall be payable from January 1, 1999, January 1, 2000 and January 1, 2001, respectively.

Section 3. This Local Law shall take effect and shall be subject to referendum on petition as provided in Section 24 of the Municipal Home Rule Law.

Local Law No. 4 of 1999 was passed December 3, 1998 by the following roll call vote:

- Ayes: 16
- Noes: 3
- Absent: 2

Approved by the County Executive: December 23, 1998

Effective: February 25, 1999

LOCAL LAW NO. 5 OF 1999

A LOCAL LAW FIXING THE COMPENSATION OF THE COUNTY CLERK OF ORANGE COUNTY, AMENDING LOCAL LAW NO. 9 OF 1995 IN CONNECTION THEREWITH, PURSUANT TO SECTIONS 153 AND 201 OF THE COUNTY LAW.

Be it enacted by the County Legislature of the County of Orange, State of New York, as follows:

Section 1. Local Law No. 9 of 1995 entitled "A LOCAL LAW FIXING THE COMPENSATION OF THE COUNTY CLERK OF ORANGE COUNTY, AMENDING LOCAL LAW NO. 1 OF 1992 IN CONNECTION THEREWITH, PURSUANT TO SECTIONS 153 AND 201 OF THE COUNTY LAW," is hereby further amended as follows:

- 1999 - \$64,500
- 2000 - \$66,500
- 2001 - \$68,500

Section 2. The annual compensation of the County Clerk of Orange County, as increased pursuant to Section 1. hereof, shall be payable as of January 1, 1999, January 1, 2000 and January 1, 2001, respectively.

Section 3. This Local Law shall take effect and shall be subject to referendum on petition as provided in Section 24 of the Municipal Home Rule Law.

Local Law No. 5 of 1999 was passed December 3, 1998 by the following roll call vote:

Ayes: 15
Noes: 4
Absent: 2

Approved by the County Executive: December 23, 1998

Effective: February 25, 1999

LOCAL LAW NO. 6 OF 1999

A LOCAL LAW FIXING THE COMPENSATION OF THE SHERIFF OF ORANGE COUNTY, AMENDING LOCAL LAW NO. 10 OF 1995 IN CONNECTION THEREWITH, PURSUANT TO SECTIONS 153 AND 201 OF THE COUNTY LAW.

Be it enacted by the County Legislature of the County of Orange, State of New York, as follows:

Section 1. Local Law No. 10 of 1995 entitled "A LOCAL LAW FIXING THE COMPENSATION OF THE SHERIFF OF ORANGE COUNTY, AMENDING LOCAL LAW NO. 4 OF 1993 IN CONNECTION THEREWITH, PURSUANT TO SECTIONS 153 AND 201 OF THE COUNTY LAW," is hereby further amended as follows:

1999 - \$64,500
2000 - \$66,500
2001 - \$68,500

Section 2. The annual compensation of the Sheriff of Orange County, as increased pursuant to Section 1. hereof, shall be payable as of January 1, 1999, January 1, 2000 and January 1, 2001, respectively.

Section 3. This Local Law shall take effect and shall be subject to referendum on petition as provided in Section 24 of the Municipal Home Rule Law.

Local Law No. 6 of 1999 was passed December 3, 1998 by the following roll call vote:

Ayes: 15
Noes: 4
Absent: 2

Approved by the County Executive: December 23, 1998

Effective: February 25, 1999

LOCAL LAW NO. 7 OF 1999

A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF THE YEAR 1972 ENTITLED, "A LOCAL LAW FIXING THE COMPENSATION OF CERTAIN COUNTY OFFICERS PAID FROM COUNTY FUNDS," AS LAST AMENDED IN RELATION TO THE COMPENSATION OF THE CORONERS BY LOCAL LAW NO. 2 OF 1996, BY INCREASING THE COMPENSATION OF CORONERS OF THE COUNTY OF ORANGE.

Be it enacted by the County Legislature of the County of Orange, State of New York, as follows:

1999 ----- LOCAL LAWS OF ORANGE COUNTY ----- 1999

Section 1. Section 1 of Local Law No. 1 of the year 1972 entitled, "A LOCAL LAW FIXING THE COMPENSATION OF CERTAIN COUNTY OFFICERS PAID FROM COUNTY FUNDS," as last amended in relation to the compensation of the Coroners by Local Law No. 2 of 1996 is hereby further amended as follows:

Chief Administrative Coroner

1999 - \$11,000
2000 - \$11,750
2001 - \$12,500

Remaining Coroners

1999 - \$ 9,500
2000 - \$10,250
2001 - \$11,000

Section 2. The annual compensation of the Chief Administrative Coroner and the Coroners of the County of Orange, as increased pursuant to Section 1. hereof, shall be payable as of January 1, 1999, January 1, 2000 and January 1, 2001, respectively.

Section 3. This Local Law shall take effect and shall be subject to referendum on petition as provided in Section 24 of the Municipal Home Rule Law.

Local Law No. 7 of 1999 was passed December 3, 1998 by the following roll call vote:

Ayes: 15
Noes: 4
Absent: 2

Approved by the County Executive: December 23, 1998

Effective: February 25, 1999

LOCAL LAW NO. 8 OF 1999

A LOCAL LAW AMENDING LOCAL LAW NO. 17 OF 1974 AS AMENDED BY LOCAL LAW NO. 8 OF 1984 TO EXEMPT CERTAIN NEWLY-BUILT HOMES FROM PENALTIES IMPOSED UNDER SECTION 4.3 THEREOF.

BE IT ENACTED by the County Legislature of the County of Orange of the State of New York, as follows:

Section 1. PREAMBLE: Local Law No. 17 of 1974, known originally as the "ORANGE COUNTY SEWER LAW," established rules, regulations and requirements concerning the operation and administration of the County sewer district. Section 4.2 thereof required owners of certain property within a County sewer district abutting a right-of-way containing a public sewer line to connect the sewer discharge system serving said property to such public sewer at the expense of the owner. Section 4.3 thereof required such connection be made within one year of the publication of notice of the completion of such public sewer system.

Local Law No. 8 of 1984 amended said law by adding a paragraph to Section 4.3. This amendment provided a penalty against said property owner for failure to so connect. The amount of

said penalty as provided is equal to the amount which would be charge against said property owner if so connected.

There presently exist properties upon which homes have been built and will be built after the enactment of said laws, which properties cannot connect to the public sewer for various reasons beyond the control of the owner. The purpose of this local law is to exempt such owners from such penalties until such time as it becomes possible for such owners to make such connection.

Section 2. AMENDMENT: The last paragraph of Section 4.3 of Local Law No. 17 of 1974, which was added to said Section by Local Law No. 8 of 1984, is hereby amended as follows:

after the words "... within the time required by this Section,..." and before the words "... shall constitute a violation of this law and shall entitle ...", insert the following:

"by commencing the administrative process prescribed by the County for making connection to the public sewer system within thirty (30) days after the services provided by such system become available to such property owner,".

Section 3. REFUND OF SUMS COLLECTED: Upon this Local Law becoming effective, the Commissioner of Environmental Services shall ascertain and identify all sums heretofore collected under the authority of said last paragraph of Section 4.3 of Local Law No. 17 of 1974 as added thereto by Local Law No. 8 of 1984, according to amount, date collected, payor, property assessed, rate and all other appropriate identifying factors. Such sums, including all interest calculated under the prevailing legal rate(s), shall be refunded to the party or parties entitled thereto. Such refund shall take the form of a credit against sums then due or against future charges incurred relating to the operation of Orange County Sewer District No. 1.

Section 4. EFFECTIVE DATE: This Local Law shall become effective immediately, as prescribed by the Municipal Home Rule Law of the State of New York.

Local Law No. 8 of 1999 was passed May 14, 1999 by the following roll call vote:

Ayes: 18
Noes: 0
Absent: 3

Approved by the County Executive: June 15, 1999

Effective: June 21, 1999

LOCAL LAW NO. 9 OF 1999

A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 70, LAWS OF 1999 FOR THE ELIGIBLE EMPLOYEES OF ORANGE COUNTY COMMUNITY COLLEGE.

WHEREAS, the Board of Trustees of Orange County Community College, Middletown, New York, has, by resolution, elected to provide an early retirement incentive program to eligible employees at the college; and

WHEREAS, this Legislature does desire to approve said program at the College; therefore,

BE IT ENACTED, by the County Legislature of the County of Orange, State of New York, as follows:

Section 1. Orange County hereby elects to provide all eligible employees, age 50 or older with 10 or more years of service or age 55 or older with 5 or more years of service (not including incentive credit for such service) of Orange County Community College in the New York State Teachers' Retirement System (NYSTRS) and the Teachers' Insurance and Annuity Association-College Retirement Equities Fund (TIAA-CREF) and faculty administrative staff and chairmen in the New York State Employees' Retirement System (NYSERS) with a retirement incentive program authorized by Chapter 70, Laws of 1999.

Section 2. The commencement date of the retirement incentive program shall be October 3, 1999.

Section 3. The open period, during which eligible employees may retire and receive the additional retirement benefit, shall be from October 3 through December 31, 1999.

Section 4. For those employees who are members of the New York State Teachers' Retirement System, the actuarial present value of the additional retirement benefits payable pursuant to the provisions of this Local Law shall be funded over a five (5) year period. The amount of the annual payment in each of the five (5) years shall be determined by the Actuary of the New York State Teachers' Retirement System, and the New York State Employees' Retirement System and it shall be paid by Orange County Community College for each employee who received the retirement benefits payable under this Local Law.

Section 5. Those employees in the optional retirement system, TIAA-CREF, shall receive a cash payment in three equal payments from Orange County Community College, the value of which will be determined in accordance with the provisions of Chapter 70 of the Laws of 1999.

Section 6. This Local Law shall take effect in the manner provided by law.

Local Law No. 9 of 1999 was passed August 13, 1999 by the following roll call vote:

Ayes: 21
Noes: 0
Absent: 0

Approved by the County Executive: August 27, 1999
Effective: September 1, 1999

LOCAL LAW NO. 10 OF 1999

A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 70, LAWS OF 1999 FOR ELIGIBLE EMPLOYEES OF ORANGE COUNTY, NEW YORK.

BE IT ENACTED, by the County Legislature of the County of Orange, State of New York, as follows:

Section 1. The County of Orange hereby elects to provide all its eligible employees in the New York State Employees' Retirement System with a retirement incentive program as authorized by Chapter 70, Laws of 1999 as amended.

Section 2. The commencement date of the retirement incentive program shall be October 3, 1999.

Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit shall be ninety (90) days in length; from October 3 through December 31, 1999.

Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Orange for each employee who receives the retirement benefits payable under this local law.

Section 5. This local law shall take effect in the manner provided by law.

Local Law No. 10 of 1999 was passed August 13, 1999 by the following roll call vote:

Ayes: 20
Noes: 0
Abstentions: 1
Absent: 0

Approved by the County Executive: August 27, 1999

Effective: September 1, 1999

LOCAL LAW NO. 11 OF 1999

A LOCAL LAW REGULATING THE USE OF THE OFFICIAL NAME, SEAL AND AUTHORITY OF THE COUNTY OF ORANGE.

PREAMBLE: Whereas, the County of Orange is a municipal government organized and existing under the laws of the State of New York with all of the powers and duties conferred by law, including under the Municipal Home Rule Law and the Orange County Charter and Administrative Code, it is appropriate and necessary to enact guidelines regarding the use of the official name, seal, authority and other public representations of the real or apparent participation or involvement of the County of Orange, its elected and appointed officers and officials, its employees, agents and all other persons acting on behalf of the government of the County of Orange, so as to make clear to the general public the true and actual extent, if any, of the active or passive knowledge, support or endorsement of the County as to any activity, policy or position.

BE IT ENACTED, by the County Legislature of the County of Orange, State of New York, as follows:

SECTION 1. DEFINITIONS

“Person” means an individual, partnership, corporation or association

“Employed” means any person who receives or has contracted to receive any remuneration from the County in exchange for any service or product provided to the County, and such person’s agents and employees.

“Use” means the written or verbal publication, representation, broadcast, advertisement, declaration, reproduction, or other form of communication which conveys or may reasonably be

construed to convey to any person the actual or implied participation, involvement, regulation, approval, sponsorship or support of the County with a private or non-county purpose, function, organization, entity, group, activity or event.

“**Private or non-County**” means having no formal or official association or connection with the government of Orange County, or having no authority or duty derived from statute, regulation, election, appointment, hire, authorization or agreement by the Government of Orange County to represent, act on behalf of, or otherwise exercise the power and authority or perform the duties of the County government.

“**County**” or “**County of Orange**” means the government of the County of Orange, including its departments, agencies, commissions, offices, authorities, districts, boards, legislature, district attorney, sheriff, and county clerk.

SECTION 2. PROHIBITIONS

Unless prior authorization is obtained pursuant to section 3 or except as provided in section 4 of this law, it shall be unlawful:

- a. for any person employed by the County of Orange to use or allow the use of his or her position or title with the County for any private or non-county purpose or in connection with any private or non-county function, organization, entity, group, activity or event;
- b. for any person, whether or not employed by the County, to use or allow the use of any official County position or title for any private or non-County purpose or in connection with any private or non-county function, organization, entity, group, activity or event.
- c. for any person, whether or not employed by the County of Orange to use the name, seal, flag, title, letterhead, symbols, property, facilities or resources of the government of the County of Orange for any private or non-county purpose or in connection with any private or non-county function, organization, entity, group activity or event.

SECTION 3. AUTHORIZATION

Any proposed use requiring prior authorization as described in Section 2 hereof, shall be submitted in writing to an Authorization Committee, hereby established for authorization. Said Authorization Committee shall be comprised of four (4) people: (1) Chairman of the Legislature’s Rules Committee, (2) Chairman of the Legislature’s Finance Committee, (3) County Attorney, and (4) County’s Risk Manager or Commissioner of the Department of Personnel. Any request for prior authorization will only be permitted if, and to the extent it is approved by, a majority of the Authorization Committee. Such authorization must be in writing and filed with the Clerk of the Legislature and the County Executive.

SECTION 4. EXCLUSION

Nothing in this local law shall prohibit a former employee of the County from referring to such former employment with the County, including the title or position held with the County, for any purpose which is not a “use” as defined herein including, but not limited to, for the purpose of securing or advancing employment outside of County government.

SECTION 5. VIOLATIONS

- a. a violation of this law shall also be a violation of Local Law No. 2 of 1994, as amended, known as the Orange County local ethics law, and a person in violation of this law shall be subject to

penalties as provided in section 7 of the local ethics law. The rules for the conduct of adjudicatory proceedings applicable to the local ethics law shall be applicable to a violation of this law.

b. In any legal action brought by the County against a person who has violated this law, and arising out of a violation of this law, the County shall be entitled to recover of such person all litigation costs and expenses, including attorneys' fees.

c. Any person who is in violation of this law shall be deemed to have acted outside the scope of the employment of such person, and the County shall have no obligation to represent, defend or indemnify such person in any action brought by any person or entity seeking damages arising out of or resulting from such violation, notwithstanding the provision of defense or indemnification pursuant to other law or policy.

SECTION 7. EFFECTIVE DATE

This Local Law shall be effective immediately, as will be in conformity with the provisions of the Municipal Home Rule Law.

Local Law No. 11 of 1999 was passed August 13, 1999 by the following roll call vote:

Ayes: 21
Noes: 0
Absent: 0

Approved by the County Executive: September 3, 1999

Effective: September 13, 1999

LOCAL LAW NO. 12 OF 1999

A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 1998 WHICH PROVIDES DEFENSE AND INDEMNIFICATION FOR COUNTY OFFICERS AND EMPLOYEES BY EXCLUDING THEREFROM ACTIONS WHICH VIOLATE A LOCAL LAW REGULATING THE USE OF THE OFFICIAL NAME, SEAL AND AUTHORITY OF THE COUNTY OF ORANGE.

BE IT ENACTED, by the County Legislature of the County of Orange, State of New York, as follows:

SECTION 1. LOCAL LAW NO. 3 OF 1998 AMENDED.

Section 4, paragraph 1 and Section 5, paragraph 1 of Local Law No. 3 of 1998 are amended by adding the following sentence to the end of each:

“Notwithstanding the foregoing, an employee who shall act or cause any act to be done which is a violation of the Orange County Local Law regulating the use of the official name, seal and authority of the County of Orange in so doing shall be deemed to have acted entirely outside the scope of his or her public employment and/or duties and therefor not covered by the provisions of this Local Law.”

SECTION 2. EFFECTIVE DATE.

This Local Law shall be effective immediately, as will be in conformity with the provisions of the Municipal Home Rule Law.

Local Law No. 12 of 1999 was passed August 13, 1999 by the following roll call vote:

Ayes: 21
Noes: 0
Absent: 0

Approved by the County Executive: September 3, 1999

Effective: September 13, 1999

LOCAL LAW NO. 13 OF 1999

A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1994 KNOWN AS THE ORANGE COUNTY LOCAL ETHICS LAW TO INCLUDE PROHIBITION OF THE UNAUTHORIZED USE OF THE COUNTY NAME, SEAL AND AUTHORITY.

BE IT ENACTED, by the County Legislature of the County of Orange, State of New York, as follows:

SECTION 1. LOCAL ETHICS LAW AMENDMENT.

Section 4. A. of Local Law No. 2 of 1994 is hereby amended by adding a new paragraph numbered "8" following paragraph 7. thereof as follows:

"8. No officer or employee shall do any act or cause any act to be done which is a violation of the Orange County Local Law regulating the use of the official name, seal and authority of the County of Orange."

SECTION 2. EFFECTIVE DATE.

This Local Law shall be effective immediately, as will be in conformity with the provisions of the Municipal Home Rule Law.

Local Law No. 13 of 1999 was passed August 13, 1999 by the following roll call vote:

Ayes: 21
Noes: 0
Absent: 0

Approved by the County Executive: September 3, 1999

Effective: September 13, 1999

LOCAL LAW NO. 14 OF 1999

A LOCAL LAW ESTABLISHING AUTHORITY IN THE ORANGE COUNTY COMMISSIONER OF HEALTH TO INVESTIGATE THE PRESENCE OF CONTAMINANTS IN RAW WATER AND ENFORCE WATER PURITY STANDARDS, AND TO ENSURE THE SAFETY OF NON-MUNICIPAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS.

BE IT ENACTED by the County Legislature of the County of Orange of the State of New York, as follows:

SECTION ONE. PURPOSE: The purpose of this Local Law is (1) to establish authority in the Orange County Commissioner of Health (hereinafter “County Health Commissioner”) to investigate the presence of contaminants in raw water in public water systems, as regulated by the New York State and Orange County Sanitary Codes, and to investigate the presence of contaminants in wells, (2) to grant the County Health Commissioner the power to issue orders to enforce water purity to minimize the potential that contaminants in raw water or well water may affect the purity of drinking water, and (3) to give the County Health Commissioner the power to issue regulations consistent with this Local Law with respect to the safety of non-municipal wastewater treatment and disposal systems.

SECTION TWO. DEFINITIONS: When used in this Local Law, the following definitions apply:

a. Contaminant. The term “contaminant” shall be defined as in Subpart 5-1 of the New York State Sanitary Code, as amended from time to time. Such definition is incorporated herein by reference.

b. Public water system. The term “public water system” shall be defined as in Subpart 5-1 of the New York State Sanitary Code, as amended from time to time. Such definition is incorporated herein by reference.

c. Raw water. The term “raw water” shall be defined as in Subpart 5-1 of the New York State Sanitary Code, as amended from time to time. Such definition is incorporated herein by reference.

d. Supplier of water. The term “supplier of water” shall be defined as in Subpart 5-1 of the New York State Sanitary Code, as amended from time to time. Such definition is incorporated herein by reference.

SECTION THREE. TESTING AND REMEDIAL ORDERS CONCERNING RAW WATER: Each supplier of water shall collect raw water samples at a frequency no less often than that prescribed by the State Commissioner of Health, or his or her designated representative, and ensure that the results of such samples are timely transmitted by such supplier of water to the County Health Commissioner. Each supplier of water shall also allow the County Health Commissioner to collect raw water samples at intervals to be determined by the County Health Commissioner, not inconsistent with the New York State Sanitary Code.

In the event any raw water sample indicates the presence of one or more contaminants, the County Health Commissioner shall issue to the supplier of water a remedial Order, which may include, without limitation, a requirement of further testing, the installation of an alarm system at the place of treatment of raw water, redundant measures of treatment, or any other remedial measure as the County Health Commissioner deems appropriate in the reasonable use of his or her discretion. Such Order may be issued in addition to any other remedies that the County Health Commissioner has under applicable law, including, without limitation, the New York State Sanitary Code.

Each supplier of water shall permit ready access by the County Health Commissioner to such water sources to ensure that the purposes of this Local Law are achieved.

SECTION FOUR. TESTING AND REMEDIAL ORDERS CONCERNING WELLS: The County Health Commissioner may require, by an Order to a homeowner or supplier of water, the testing of private well water, not connected with a public water system, at such intervals that the County Health Commissioner deems appropriate, in the reasonable use of his or her discretion, not inconsistent with the New York State Sanitary Code. Said Order may provide that the homeowner or supplier of water collect and/or test their well water and ensure that the results of such testing are timely transmitted to

the County Health Commissioner, or such Order may provide that such collection and/or testing be accomplished by the County Health Commissioner.

In the event any such sample of well water indicates the presence of one or more contaminants, the County Health Commissioner may issue to the homeowner or supplier of water a remedial Order, which may include, without limitation, a requirement of further testing, the installation of a filter system, or any other remedial measure as the County Health Commissioner deems appropriate in the reasonable use of his or her discretion. Such Order may be issued in addition to any other remedies that the County Health Commissioner has under applicable law, including without limitation the New York State Sanitary Code.

Each supplier of water and homeowner shall permit ready access by the County Health Commissioner to such water sources to ensure that the purposes of this Local Law are achieved.

SECTION FIVE. TESTING AND REMEDIAL ORDERS CONCERNING NON-MUNICIPAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS: The County Health Commissioner may require, by an Order to a homeowner or non-municipal person or entity performing wastewater treatment and/or disposal, the testing of non-municipal wastewater treatment and/or disposal systems which serve, are intended to serve, or are capable of serving, any building, school, institution or other premises for public, semi-public, or residential use, at such intervals that the County Health Commissioner deems appropriate in the reasonable use of his or her discretion, not inconsistent with the New York State Sanitary Code. Said Order may provide that the homeowner or non-municipal person or entity performing wastewater treatment and/or disposal, test their wastewater treatment and/or disposal system and ensure that the results of such testing are timely transmitted to the County Health Commissioner, or such Order may provide that such testing be accomplished by the County Health Commissioner.

If the County Health Commissioner determines, based upon such testing or an inspection by the County Health Commissioner of a non-municipal wastewater treatment and/or disposal system, that the continued operation of the system will adversely affect the general public health or the health of the occupants of any premises, the County Health Commissioner may issue to the homeowner, or non-municipal person or entity performing wastewater treatment and/or disposal, a remedial Order which may include, without limitation, a requirement of further testing and/or any remedial measure as the County Health Commissioner deems appropriate in the reasonable use of his or her discretion. Such Order may be issued in addition to any other remedies that the County Health Commissioner has under applicable law, including, without limitation, the New York State Sanitary Code.

Each homeowner, or non-municipal person or entity performing wastewater treatment and/or disposal, shall permit ready access by the County Health Commissioner to such wastewater treatment and/or disposal system to ensure that the purposes of this Local Law are achieved.

SECTION SIX. ENFORCEMENT: Sections Three, Four and Five of this Local Law shall be enforced in the manner specified for enforcement in the Orange County Sanitary Code.

SECTION SEVEN. EFFECTIVE DATE: This Local Law shall become effective in accordance with the provisions of New York State Municipal Home Rule Law.

Local Law No. 14 of 1999 was passed August 26, 1999 by the following roll call vote:

Ayes: 15
Noes: 2
Absent: 4

Approved by the County Executive: September 15, 1999

Effective: September 21, 1999