

**HOME RULE REQUEST RESOLUTION NO. \_\_\_\_-2022**

RESOLVED, that the Westchester County Board of Legislators approves the making of a Home Rule Request in the following format:

*To the Legislature:*

Pursuant to Article IX of the Constitution, the County of Westchester requests the enactment of Assembly Bill No. 1214/Senate Bill No. 1139 entitled "AN ACT to amend the general municipal law, in relation to local civil administrative enforcement procedures in the county of Westchester."

A necessity exists for the enactment of this legislation because the local government does not have the power to enact such legislation by local law.

Dated: 2022  
White Plains, New York

Committee on Legislation

**A01214 Memo:**

**NEW YORK STATE ASSEMBLY  
MEMORANDUM IN SUPPORT OF LEGISLATION  
submitted in accordance with Assembly Rule III, Sec 1(f)**

**BILL NUMBER:** A1214

**SPONSOR:** Paulin

**TITLE OF BILL:**

An act to amend the general municipal law, in relation to local civil administrative enforcement procedures in the county of Westchester

**PURPOSE OR GENERAL IDEA OF BILL:**

A bill to authorize local civil administrative enforcement procedures in Westchester County.

**SUMMARY OF SPECIFIC PROVISIONS:**

Section 380 of the General Municipal Law is amended to add subsection 5 to allow Westchester County to adopt a local law to establish an administrative adjudication hearing procedure.

**JUSTIFICATION:**

Westchester County has requested this bill to prosecute and settle

violations of local law, codes and ordinances. The nature of the infractions often involves purely civil violations that could be resolved more expeditiously and efficiently in an administrative forum.

Currently, New York State law allows such administrative adjudication hearings in specific cities, including Yonkers, Syracuse, Buffalo and Huntington under General Municipal Law § 380. Administrative adjudication hearing procedures were permitted in those cases because the courts were overburdened and the civil violations of local ordinances and codes could be better resolved in an administrative forum. Similarly, in this bill, the county law is being amended with an equivalent goal, to increase efficiency of time and resources, including reducing the costs to the county of enforcing fines.

**PRIOR LEGISLATIVE HISTORY:**

A.4073, 2019 and 2020, referred to local governments / Same as S.4223 of 2019 and 2020, passed Senate in 2019 and referred to local governments in 2020

**FISCAL IMPLICATIONS:**

By improving enforcement of county codes and ordinance violations, increased revenues would occur.

**EFFECTIVE DATE:**

This act shall take effect immediately.

**A01214 Text:**

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**STATE OF NEW YORK**

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1214

2021-2022 Regular Sessions

**IN ASSEMBLY**

January 7, 2021

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Introduced by M. of A. PAULIN -- read once and  
referred to the Committee  
on Local Governments

AN ACT to amend the general municipal law, in  
relation to local civil  
administrative enforcement procedures in the  
county of Westchester

**The People of the State of New York, represented  
in Senate and Assem-  
bly, do enact as follows:**

1 Section 1. Subdivision 3 of section 380 of the  
general municipal law,  
2 as added by chapter 146 of the laws of 2017, is  
renumbered subdivision 4  
3 and a new subdivision 5 is added to read as  
follows:

4     5. The county of Westchester may adopt a local  
law establishing an  
5     administrative adjudication hearing procedure  
under the provisions of  
6     this article for all code and ordinance violations  
relating to condi-  
7     tions which constitute a threat or danger to the  
public health, safety  
8     or welfare.

9     § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is  
new; matter in brackets

[—] is old law to be omitted.

LBD01970-01-1