

PROPOSED ORDINANCE NO. 190 –2012

AN ORDINANCE AMENDING ORDINANCE 16-2011 IN RELATION TO INCREASING THE FEE CHARGED BY THE TRAFFIC AND PARKING VIOLATIONS AGENCY FOR A FINAL DISPOSITION OTHER THAN NOT GUILTY.

WHEREAS, section 370 of the General Municipal Law establishes the Nassau county traffic and parking violations agency (“TPVA”) as a department of Nassau county government, to operate under the direction and control of the county executive; and

WHEREAS, pursuant to section 10[1][ii][9-a] of the Municipal Home Rule Law, the County of Nassau has the power to adopt and amend local laws relating to the fixing, levy, collection, and administration of charges, rates, and fees; and

WHEREAS, the current fee charged to motorists appearing before TPVA whose cases have been adjudicated to a final disposition other than not guilty is currently below the actual cost of adjudicating those cases; and

WHEREAS, it would be more efficient and equitable to impose the additional cost on motorists whose cases result in a final disposition other than not guilty; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau as follows:

§ 1. Ordinance 16-2011 is hereby amended to read as follows:

FEE NAME	FEES (in dollars)
FINAL DISPOSITION OTHER THAN NOT GUILTY FEE (“DRIVER RESPONSIBILITY FEE”)	30.00
INITIAL DEFERRED PAYMENT FEE	15.00
SUBSEQUENT DEFERRED PAYMENT FEE – PER DEFERRAL – PER TICKET	10.00

§ 2. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part

617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this Ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 3. This ordinance shall take effect immediately.