

PROPOSED ORDINANCE NO. 25- 2018

AN ORDINANCE TO AMEND ORDINANCE NO. 73-2014 TO EXEMPT FROM FEES ALL NOT FOR PROFIT AGENCIES SERVING NASSAU COUNTY'S CHARITABLE, YOUTH AND SENIOR POPULATIONS

WHEREAS, fees can be an economic barrier to participation in public youth and senior sports programs, and may serve as a deterrent for charitable organizations from utilizing County facilities in furtherance of the public good; and

WHEREAS, certain fees relating the use of County athletic and recreational facilities by youth, senior and charitable organizations have customarily been waived to encourage active participation in sports and social activities to the maximum extent possible; and

WHEREAS, participation in youth sports activities can help reduce obesity, improve self-confidence, and develop critical social skills; and

WHEREAS, participation in senior sports activities provide important social and athletic opportunities for Nassau County's senior population; and

WHEREAS, charitable organizations that utilize County sports facilities for charitable purposes should not face financial barriers in pursuit of the public good; now, therefore

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

Section 1. §4 Special Fees. is amended as follows:

§4. Special Fees. The Commissioner of Parks, Recreation and Museums, subject to the approval of the Legislature, is authorized to establish special or discount fees for services and programs to defray expenses incurred by the County for trophies, performers, security, utilities, administration, and other related expenses.

§5. Fee waivers. of Ordinance 73-2014 shall be amended as follows:

§5. Fee waivers. The Commissioner of Parks, Recreation, and Museums is authorized to waive or reduce fees when he or she deems it to be in the best interest of the public. The Commissioner of Parks, Recreation and Museums is prohibited from charging fees for the use of Athletic Fields identified in §3(J) of this Ordinance and Picnic Areas identified in §3(T) of this Ordinance by qualified 501(c)3 organizations serving Nassau County's youth and senior populations or established for charitable purposes, and shall promptly reimburse all qualified 501(3)3 organizations that have paid such fees to the Department between January 1, 2018 to the effective date of this legislation. For the purposes of this section, "youth" shall be defined as residents who are age 18 and younger, and "senior" shall be defined as residents who are 60 and older.

§ 3. Severability.

If any provision of this Ordinance or the application of such provision to any person or circumstance shall be held unconstitutional or invalid, the constitutionality or validity of the remainder of this ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby.

§ 4. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617(c)(20), (21), and/or (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of section 8-0109(2) of the New York Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection.

§ 5. Effective Date.

This ordinance shall take effect immediately.