



MONROE COUNTY

Public Safety Committee

August 22, 2023 5:15 PM

AGENDA

A. ROLL CALL

B. PUBLIC FORUM

C. APPROVAL OF MINUTES

July 25, 2023

D. NEW BUSINESS

23-0261

Acceptance of a Grant from the New York State Division of Criminal Justice Services for Implementation of Components of an Action Plan to Address Racial and Ethnic Disparities in the Youth Justice System - County Executive Adam J. Bello

23-0267

Extension of Provisions of Section 89-p of the New York State Retirement and Social Security Law to Members Employed as Deputy Sheriff-Civil in the County of Monroe - County Executive Adam J. Bello

23-0268

Amend the 2023-2028 Capital Improvement Program and the 2023 Capital Budget to Add a Project Entitled "CDC Annex - Mod B Renovation" and Authorize Financing for the Project - County Executive Adam J. Bello

23-0272

Enact a Local Law Amending Chapter 384, Entitled "Pawnbrokers, Secondhand Dealers and Jewelry and Coin Exchange Dealers" - As a Matter of Importance - County Executive Adam J. Bello, President Sabrina LaMar, Majority Leader Steve Brew, Minority Leader Yversha Roman, County Legislators Blake Keller, Jackie Smith, Tracy DiFlorio, Frank X. Allkofer, Richard B. Milne, Sean McCabe, Kirk Morris, Mark Johns, Paul Dondorfer, Howard Maffucci, Sean M. Delehanty, Michael Yudelson, Susan Hughes-Smith, George Hebert, Dave Long, Maria Vecchio, John B. Baynes, Kathleen Taylor, Robert Colby, Rachel Barnhart, Mercedes Vazquez Simmons, Linda Hasman, Ricky Frazier, William Burgess

E. OTHER MATTERS

F. ADJOURNMENT

The next meeting of the Public Safety Committee is scheduled for Tuesday, September 26, 2023 at 5:30 P.M.



ATTACHMENTS:

Description File Name

- ▣ July 25, 2023 7.25.23_Public_Safety_Draft_Minutes.pdf

Summary of Minutes
PUBLIC SAFETY COMMITTEE
July 25, 2023
5:30 p.m.

Chairman Dondorfer called the meeting to order at 5:30 p.m.

MEMBERS PRESENT: Paul Dondorfer (Chair), Sean M. Delehanty, Richard B. Milne (Vice Chair), Robert Colby, Kirk Morris, Maria Vecchio (RMM), William Burgess, Susan Hughes-Smith, Carolyn Delvecchio Hoffman

OTHER LEGISLATORS PRESENT: Jackie Smith, Steve Brew, Howard Maffucci, Yversha Roman, Frank X. Allkofer, Michael Yudelson, Albert Blankley

ADMINISTRATION PRESENT: Adrienne Greene (Legislative Liaison), Robert Franklin (CFO), Laura Smith (Chief Deputy County Attorney), Korey Brown (Undersheriff, MCSO). Kristine Durante (Probation Administrator), Kim Hinkley (MCSO), Andrea Guzzetta Zury (Director, HR)

PUBLIC FORUM: There were no speakers.

APPROVAL OF MINUTES: The minutes of June 29, 2023 were approved as submitted.

NEW BUSINESS:

23-0224 - Authorize an Intermunicipal Agreement with Monroe #1 Board of Cooperative Educational Services for the Monroe County Sheriff's Office School Resource Program
- County Executive Adam J. Bello

MOVED by Legislator Milne, SECONDED by Legislator Colby.
ADOPTED: 9-0 (*Legislator Vecchio Declared Her Interest Prior to the Vote*)

23-0226 - Approve the Collective Bargaining Agreement Among the Monroe County Executive, Monroe County Sheriff's Office and the Monroe County Law Enforcement Association
- County Executive Adam J. Bello

MOVED by Legislator Colby, SECONDED by Legislator Morris.
ADOPTED: 9-0 (*Legislator Vecchio Declared Her Interest Prior to the Vote*)

23-0240 - Acceptance of a Grant from the New York State Division of Criminal Justice Services for the Ignition Interlock Device Non-Installer Enforcement Program and Authorize an Intermunicipal Agreement with the City of Rochester - County Executive Adam J. Bello

MOVED by Legislator Morris, SECONDED by Legislator Delehanty.
ADOPTED: 9-0 (*Legislator Vecchio Declared Her Interest Prior to the Vote*)

23-0241 - Acceptance of Grant from the New York State Division of Criminal Justice Services for the Raise the Age Legislation and Authorize an Intermunicipal Agreement with the

Rochester City School District for an Administrative and Education Liaison Provider for Raise the Age Youth - County Executive Adam J. Bello

MOVED by Legislator Delehanty, SECONDED by Legislator Milne.
ADOPTED: 9-0

23-0246 - Authorize a Contract with Benchmark Analytics, LLC for Continued Maintenance of Tracking Software - County Executive Adam J. Bello

MOVED by Legislator Milne, SECONDED by Legislator Colby.
ADOPTED: 9-0 (*Legislator Vecchio Declared Her Interest Prior to the Vote*)

23-0248 - Confirmation of the Appointment of the Conflict Defender - County Executive Adam J. Bello

MOVED by Legislator Colby, SECONDED by Legislator Morris.
ADOPTED: 9-0

OTHER MATTERS:

ADJOURNMENT:

There being no other matters, Chairman Dondorfer adjourned the meeting at 5:43 p.m.

The next Public Safety Meeting will be held on Tuesday, August 22, 2023 at 5:30 p.m.

Respectfully submitted,
Frank Keophetlasy
Deputy Clerk of the Legislature



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▣ Referral R23-0261.pdf



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

August 4, 2023

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WAYS & MEANS	

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Acceptance of a Grant from the New York State Division of Criminal Justice Services for Implementation of Components of an Action Plan to Address Racial and Ethnic Disparities in the Youth Justice System

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the New York State Division of Criminal Justice Services in the amount of \$50,000 for implementation of components of a plan to address racial and ethnic disparities in the youth justice system for the period of June 1, 2022 through May 31, 2024.

The New York State Division of Criminal Justice Services, Office of Youth Justice, the Center for Children's Law and Policy, and the New York State Youth Justice Institute have partnered to create a new training, technical assistance, and skill-building opportunity for youth justice professionals throughout the state known as the Policy Equity Academy. It is designed to support localities in their efforts to implement policies and reforms that target areas of significant racial and ethnic disparity in the youth justice system. The Policy Equity Academy consists of virtual skill-building and planning opportunities for local professionals that are designed to equip participants with the knowledge base and leadership skills to promote effective efforts to reduce racial and ethnic disparities in their local jurisdictions. The Academy assists with the development of a local level action plan, and provides technical assistance and funding up to \$50,000 to support implementation of action plans.

In order to achieve the objectives of the Policy Equity Academy, the Monroe County Office of Probation and Community Corrections has developed a plan that utilizes support services, juvenile justice education, and group facilitation services to at-risk, juvenile justice-involved, and probation-involved youth in Monroe County. The plan's objectives are to increase the number of youth of color who are offered, engage with, and successfully complete adjustment services, and decrease the number of youth of color referred to the presentment agency for petitions. This is the first time the County has received this grant.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, to accept a \$50,000 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services for implementation of components of a plan to address racial and ethnic disparities in the youth justice system for the period of June 1, 2022 through May 31, 2024.

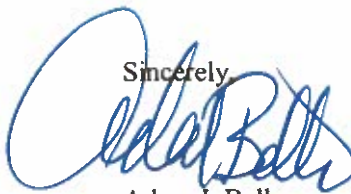
2. Amend the 2023 operating budget of the Department of Public Safety, Office of Probation and Community Corrections, by appropriating the sum of \$50,000 into general fund 9300, funds center 2403020100, Juvenile Services Family Division.
3. Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within grant guidelines to meet contractual commitments.
4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) (“routine or continuing agency administration and management, not included new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

This grant is 100% funded by the New York State Division of Criminal Justice Services. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely



Adam J. Bello
Monroe County Executive



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▣ Referral R23-0267.pdf



Office of the County Executive
Monroe County, New York

Adam J. Bello
County Executive

August 4, 2023

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To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Extension of Provisions of Section 89-p of the New York State Retirement and Social Security Law to Members Employed as Deputy Sheriff-Civil in the County of Monroe

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

On April 11, 2023, Your Honorable Body adopted Resolutions 129 and 130 of 2023 requesting that the New York State Legislature enact legislation to amend the New York State Retirement and Social Security Law to change the retirement classification for deputy sheriffs-civil to allow for their retirement after twenty-five years of creditable service.

In response to Resolutions 129 and 130, the New York State Legislature enacted and Governor Kathy Hochul signed into law Section 89-x of the New York State Retirement and Social Security Law entitled "Retirement of deputy sheriffs-civil in Monroe county." The new State law became effective May 3, 2023 and will allow for the change in retirement classification for deputy sheriffs-civil in Monroe County under Section 89-p of the Retirement and Social Security Law and permit their retirement after twenty-five years of creditable service.

Section 89-x of the New York State Retirement and Social Security Law authorizes Monroe County to adopt a resolution on or before December 31, 2024 to extend the provisions of Section 89-p to members employed as deputy sheriff-civil.

The New York State and Local Retirement System estimates that the extension of the provisions of Section 89-p to members employed as deputy sheriff-civil will increase Monroe County's annual contribution to New York State for fiscal year ending March 31, 2024 by approximately \$24,000 and cause Monroe County to incur a past service cost of approximately \$147,000. In future years, the annual contributions will vary as the billing rates and salary of the affected members change.

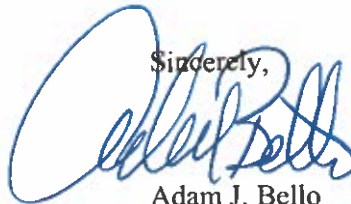
The specific legislative action required is pursuant to Section 89-x of the New York State Retirement and Social Security Law, authorize the extension of the provisions of Section 89-p of the New York State Retirement and Social Security Law to those members employed as deputy sheriff-civil in Monroe County.

This is a Type II Action pursuant to 6 NYCRR §617.5(c)(26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this action is included in the 2023 operating budget of the Sheriff’s Office, fund 9001, funds center 3802010000, Civil Bureau, and will be requested in future years’ budgets. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive



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Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

August 4, 2023

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To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Amend the 2023-2028 Capital Improvement Program and the 2023 Capital Budget to Add a Project Entitled "CDC Annex - Mod B Renovation" and Authorize Financing for the Project

Honorable Legislators:

I recommend that Your Honorable Body amend the 2023-2028 Capital Improvement Program and the 2023 Capital Budget to add a project entitled "CDC Annex - Mod B Renovation," in the amount of \$1,000,000, and authorize financing for the project in the amount of \$1,000,000.

Pursuant to Resolution 62 of 2023, Your Honorable Body authorized a contract for the construction of new facilities at the Children's Detention Center in the Town of Rush. A notice-to-proceed was issued and the work began in May of this year. The project's estimated completion date is December 2024. In the interim, the Courts have increased the number of juveniles assigned to the Children's Detention Center and the occupancy limit at the Detention Center has been exceeded on various occasions. In response to the increased number of youths assigned to the Detention Center, the New York State Office of Children and Family Services ("OCFS") has permitted Monroe County to use the former Monroe County Correctional Facility located at 750 East Henrietta Road in the Town of Brighton for the supplemental placement of juveniles.

This project will create ten additional bedrooms and associated program space for the placement of juveniles at times when the Rush facility is at capacity. Modular Unit B at the former Monroe County Correctional Facility will be renovated to meet secure detention criteria to permit its potential use as a secure facility for juveniles. OCFS provided approval for design of this project on July 12, 2023. Over time OCFS will reimburse the County for forty-nine percent of the cost of constructing the secure detention beds.

This project will be considered by the Monroe County Planning Board on August 24, 2023.

The specific legislative actions required are:

1. Amend the 2023-2028 Capital Improvement Program to add a project entitled "CDC Annex - Mod B Renovation," in the amount of \$1,000,000.
2. Amend the 2023 Capital Budget to add a project entitled "CDC Annex - Mod B Renovation," in the amount of \$1,000,000.
3. Authorize financing for the project entitled "CDC Annex - Mod B Renovation," in the amount of \$1,000,000.

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(585) 753-1000 • fax: (585) 753-1014 • www.monroecounty.gov • e-mail: countyexecutive@monroecounty.gov

This action is a Type II Action pursuant to 6 NYCRR §617.5(c)(1) (“maintenance or repair involving no substantial changes in an existing structure or facility”) and (2) (“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this project, consistent with authorized uses, will be included in the capital fund to be created and any other capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db



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PUBLIC SAFETY

August 15, 2023

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Enact a Local Law Amending Chapter 384, Entitled "Pawnbrokers, Secondhand Dealers and Jewelry and Coin Exchange Dealers"

Honorable Legislators:

This matter is being referred to Your Honorable Body together with Sheriff Todd K. Baxter.

This proposed legislation addresses crucial aspects of regulating pawnbrokers, secondhand dealers, and jewelry and coin exchange dealers within Monroe County. The proposed changes to the existing Chapter 384 aim to enhance transparency, accountability, and compliance within these businesses, and to help track items that may have been obtained illegally.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law amending Chapter 384, entitled "Pawnbrokers, Secondhand Dealers and Jewelry and Coin Exchange Dealers."

This proposed Local Law will require no additional net County support in the current Monroe County budget.

This is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine continuing agency administration and management not including new programs or major reordering of priorities that may affect the environment") and (33) ("adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list") and is not subject to further review under the New York State Environmental Quality Review Act.

We recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive

Sabrina LaMar
Monroe County Legislature
President

Steve Brew
Monroe County Legislature
Majority Leader

Yversha Roman
Monroe County Legislature
Minority Leader



Blake Keller
Monroe County Legislator
District 1



Jackie Smith
Monroe County Legislator
District 2



Tracy DiFlorio
Monroe County Legislator
District 3



Frank X. Allkofer
Monroe County Legislator
District 4



Richard B. Milne
Monroe County Legislator
District 5



Sean McCabe
Monroe County Legislator
District 6



Kirk Morris
Monroe County Legislator
District 7



Mark Johns
Monroe County Legislator
District 8



Paul Dondorfer
Monroe County Legislator
District 9



Howard Maffucci
Monroe County Legislator
District 10



Sean M. Delehanty
Monroe County Legislator
District 11



Michael Yudelson
Monroe County Legislator
District 13



Susan Hughes-Smith
Monroe County Legislator
District 14




George Hebert
Monroe County Legislator
District 15



Dave Long
Monroe County Legislator
District 16



Maria Vecchio
Monroe County Legislator
District 17



John B. Baynes
Monroe County Legislator
District 18



Kathleen Taylor
Monroe County Legislator
District 19



Robert Colby
Monroe County Legislator
District 20



Rachel Barnhart
Monroe County Legislator
District 21



Mercedes Vazquez Simmons
Monroe County Legislator
District 22



Linda Hasman
Monroe County Legislator
District 23



Ricky Frazier
Monroe County Legislator
District 28



William Burgess
Monroe County Legislator
District 29

By Legislators _____

Intro No. ____

LOCAL LAW NO. ____ OF 2023

ENACTING A LOCAL LAW AMENDING CHAPTER 384, ENTITLED "PAWNBROKERS, SECONDHAND DEALERS AND JEWELRY AND COIN EXCHANGE DEALERS"

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The following provisions of Section 384-4 of the Monroe County Code are hereby amended as follows:

DEALERS

Pawnbrokers, secondhand dealers, and/or jewelry and coin exchange dealers licensed pursuant to this Chapter

JEWELRY AND COIN EXCHANGE DEALER

Persons or business establishments engaged in the business of sale, purchase, or exchange of precious metals and/or jewelry for other objects of precious metal, jewelry, United States currency, bank drafts, other negotiable instruments as defined in the Uniform Commercial Code or any other object or thing of value within Monroe County, including the sale, purchase, or exchange of such goods from Monroe County through Internet commerce sites.

NEW ITEMS

Any article or object that has not been previously purchased at retail and/or which has not been previously used and/or is in a new condition.

SECONDHAND DEALER

Any person or business establishment who deals in the purchase, sale, exchange or pledge as security for a sum of money of any secondhand article within Monroe County, including purchase, sale, exchange or pledge as security for a sum of money of any secondhand article from Monroe County through Internet commerce sites.

Section 2. Section 384-5 of the Monroe County Code is hereby amended as follows:

A. It shall be unlawful for a pawnbroker, secondhand dealer or jewelry and coin exchange dealer to purchase any articles, jewelry or precious metals from any person whom such dealer knows to be or has reason to believe to be under the age of 18 years.

B. It shall be unlawful for any pawnbroker, secondhand dealer or jewelry and coin exchange dealer to sell, dispose of, destroy, alter or remove from such dealer's premises any articles, jewelry or precious metals until the expiration of 14 calendar days after the ~~acquisition~~ electronic reporting required pursuant to Section 384-9 by such dealer of any such articles, jewelry or precious metals.

C. When requested to do so by the appropriate local law enforcement agency in connection with a law enforcement investigation, it shall be unlawful for any pawnbroker, secondhand dealer or jewelry and coin exchange dealer to sell, dispose of, destroy, alter or remove from such dealer's premises any articles, jewelry or precious metals until the expiration of 30 calendar days from the date of the request. Upon the written request of the law enforcement agency, the property shall be held for up to two additional thirty-day periods.

D. Pawnbrokers, secondhand dealers, and jewelry and coin exchange dealers shall not employ any person who has been convicted within three years of any felony related to the operation of a business or who has had a ~~secondhand~~ dealer's license revoked or denied within the past five years.

E. No pawnbrokers, secondhand dealers, or jewelry and coin exchange dealers shall permit his or her place of business to remain open for the transaction of business any time except between the hours of 8:00 a.m. and 11:00 p.m.

F. Dealers shall only purchase, sell or offer for sale new items which have been purchased from authorized retailers or wholesalers. This provision shall not apply to the purchase or sale of new items purchased from individuals who sell less than three of an identical or same type of goods within one calendar year.

Section 3. The following provisions of Section 384-6 of the Monroe County Code are hereby amended as follows:

D(2). Where the owner is not directly involved with the day-to-day operation of said business, the operator must also be included on the application. If a partnership, corporation or other business entity is involved, the application must designate an operator who is involved in the day-to-day operation of the business. In this situation, the ~~secondhand~~ dealer's license shall be issued to the operator; the names, addresses and phone numbers of the partners, officers or principals shall also be listed on the application. All addresses of persons involved shall be home addresses listing street and number.

E. Before the issuance of a dealer's license, the Sheriff or his or her representative shall have the right to enter upon such premises during normal business hours for the purpose of making inspections. After a dealer's license has been issued, further inspections of the premises, to ensure compliance with the laws, ordinances and rules and regulations relating to secondhand business, may be made in ~~areas open to the public or other areas with consent~~ any area of the licensed premises.

I. No dealer's license shall be issued for a period of ~~one~~five years to any applicant that has been found guilty of operating a business without a ~~secondhand~~ dealer's license when required under state or local law.

K. The Monroe County Sheriff's office may deny, suspend, or revoke any license granted herein in the following situations:

(1) Where the pawnbroker, secondhand dealer, or jewelry and coin exchange dealer has made a false statement in connection with its application; or

(2) Where the pawnbroker, secondhand dealer, or jewelry and coin exchange dealer revokes the consent to examine such records and items or refuses to allow inspection of its premises; or

(3) Where the pawnbroker, secondhand dealer, or jewelry and coin exchange dealer has more than three violations in one inspection or two convictions of a violation in the calendar year; or

(4) Where the pawnbroker, secondhand dealer, or jewelry and coin exchange dealer has violated either federal, state, or local laws or rules and regulations; or

(5) Where the pawnbroker, secondhand dealer, or jewelry and coin exchange dealer has violated conditions placed on the dealer's license pursuant to Section 384-6(N); or

(6) Failure to pay civil penalties imposed pursuant to Section 384-11(C).

The Monroe County's Sheriff's Office may also deny a license if the applicant is in violation of applicable federal, state, or local laws or rules and regulations at the time of application.

M. If an application for a license is denied, or an existing license is suspended or revoked, the applicant or holder of the suspended or revoked license ~~shall~~ may, within 10 calendar days of notice of denial, suspension, or revocation, request reconsideration by the Monroe County Sheriff's office by providing that office with any additional, relevant information. The Monroe County Sheriff's office shall, within 10 calendar days of receipt of the reconsideration materials, issue a final notice of denial, suspension, or revocation setting forth the grounds upon which the license was either denied, suspended, or revoked. Such final notice shall be transmitted by certified or registered mail.

N. The Monroe County's Sheriff's Office may reinstate a suspended license with conditions under which the dealer shall operate his or her business. Such reinstated license with conditions shall be signed by the dealer and contain a provision which provides that any violation of the conditions license, as solely determined by the Sheriff, shall be grounds for revoking the license.

Section 4. Section 384-7(A) of the Monroe County Code is hereby amended as follows:

A. ~~Secondhand~~ Dealers shall comply with all provisions of federal, state and local laws and ordinances relating to the conduct of businesses and occupation, use and maintenance of the premises and shall ensure that all of their employees and agents do also. Where the ~~secondhand~~ dealer is also a pawn dealer, the ~~secondhand~~ dealer shall comply with Article 5 of the New York State General Business Law entitled "Collateral Loan Brokers Law."

Section 5. Section 384-9(A) of the Monroe County Code is hereby amended as follows:

A. Every pawnbroker, secondhand dealer and jewelry and coin exchange dealer shall furnish to the Monroe County Sheriff all information requested by such agency relative to all records required to be kept under this chapter no later than 48 hours after receipt of any item covered by this chapter (generally herein, a "reportable transaction"). If any items composed wholly or in part of articles, jewelry or precious metals shall be advertised in any newspaper printed in the County of Monroe as having been lost or stolen, and if any items matching such advertised description or any part thereof shall be in or come into possession of any pawnbroker, secondhand dealer or jewelry and coin exchange dealer upon receiving actual written or oral notice of the similarity of description of such articles, such pawnbroker, secondhand dealer or jewelry and coin exchange dealer shall immediately give information relating thereto to the appropriate local law enforcement agency. No disposition of such items shall be effected until authorization to do so is given to such dealer by the appropriate local law enforcement agency.

Section 6. Section 384-9 of the Monroe County Code is hereby amended to include the following provision:

C. It shall further be the duty of every pawnbroker, secondhand dealer, or jewelry and coin exchange dealer to affix a tag to each article, jewelry or precious metal received or purchased by the dealer or otherwise in his or her possession. The tag will include the date and time of purchase of said article and will include a brief description of the article or a corresponding ticket number generated via the electronic reporting system required pursuant to this Section 384-9.

Section 7. Section 384-10 of the Monroe County Code is hereby amended as follows:

A. A pawnbroker, secondhand dealer, or jewelry and coin exchange dealer shall release to the Monroe County Sheriff's office any item in the ~~secondhand~~ dealer's possession if:

- (1) The item is established to be stolen;
- (2) The owner of the item or the victim of the theft has positively identified the item and provided an affidavit of ownership and made a report of the theft to a law enforcement agency;
- (3) The stolen property report describes the item by one or more of the following: date, initials, an insurance record, a photograph, a sales receipt, a serial number, specific damage, a statement of facts that show the item is one of a kind or a unique engraving; and
- (4) The ~~secondhand~~ dealer is given a receipt for the item released.

Section 8. Section 384-11 of the Monroe County Code is hereby amended as follows:

In addition to the ability to suspend or revoke a permit pursuant to Section 384-6(K), Any violation of the provisions of this chapter shall constitute an offense and shall be punished as follows:

A. Criminal Penalties. Any person, partnership, corporation or any other legal entity, violating the provisions of this chapter or knowingly failing to take action to prevent the violation of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$200 for the first offense, \$1,000 for the second offense, and \$3,000 for each subsequent offense. Each such violation shall constitute a separate and distinct offense.

B. Any local law enforcement agency having jurisdiction shall have the authority, pursuant to New York State Criminal Procedure Law, to issue an appearance ticket subscribed by him/her directing a designated person to appear in a designated local criminal court at a designated future time in connection with the alleged violation of this chapter or any order made hereunder.

C. Civil Penalties. Any person in violation of this Chapter shall be liable for a civil penalty of not more than \$100 for the first offense, \$400 for a second offense, and \$600 for a third offense. The Monroe County's Sheriff's Office is authorized to compromise any civil penalty. All civil penalties and all fines collected hereunder shall be retained by the County of Monroe.

D. In addition to the above-provided penalties and punishment, the Monroe County Attorney also may maintain an action or proceeding in the name of the County in a court of competent jurisdiction to compel compliance with the provisions of this chapter or to restrain by injunction any offense against this chapter.

E. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address the violation of the chapter, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties allowed under other applicable law.

~~E.~~ This chapter shall be enforced by any local law enforcement agency having jurisdiction.

Section 9. If any clause, sentence, paragraph, section or article of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the

remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the proceeding in which such adjudication shall have been rendered.

Section 10. This local law shall take effect upon filing with the Secretary of State pursuant to Section 27 of the New York Municipal Home Rule Law and the Monroe County Charter.

File No. 23-_____.LL

ADOPTION: Date: _____

Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____

DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

Added language is underlined

Deleted language is ~~stricken~~