

LOCAL LAW NO. 11-96
CHAUTAUQUA COUNTY

ESTABLISHING FEES FOR VARIOUS COUNTY DEPARTMENTS

BE IT ENACTED, by the County of Chautauqua Legislature as follows:

A. PROBATION DEPARTMENT

(1) Custody and Visitation Investigation Fee. Pursuant to Family Court Act §252-a, the Probation Department shall collect a fee for custody and visitation investigations. Such fee shall be not less than \$50 nor more than \$500, and shall be based on the party's ability to pay, in accordance with rules and regulations approved by the County Executive. No fees shall be charged in any action in which the Chautauqua County Department of Social Services is named as petitioner or respondent.

(2) Probation Administrative Fee. Pursuant to Executive Law §257-c, the Probation Department shall collect \$30 per month from individuals currently serving or who shall be sentenced to a period of probation upon conviction of any crime under Article 31 of the Vehicle and Traffic Law. This fee may be waived in whole or in part by the Probation Department in accordance with the rules and regulations approved by the County Executive.

(3) Alcohol and Drug Testing Fee. Persons currently service or who shall be sentenced to a period of probation, and who are required to submit to breath, alcohol, urine, or blood screening tests as a condition of probation, shall pay a drug testing fee. Such fee shall be in the amount of \$10 per test or the actual cost of the test, whichever is greater. This fee may be waived in whole or in part by the Probation Department in accordance with the rules and regulations approved by the County Executive.

(4) Electronic Home Monitoring Fee. Persons participating in the Electronic Home Monitoring Program shall be charged a per diem fee not to exceed \$40 a day. The fee shall be based on the party's ability to pay, in accordance with rules and regulations approved by the County Executive.

(5) Presentence Investigation Reports The Probation Department shall collect a fee of \$1 per page from persons authorized to receive copies of presentence investigation reports. Written requests shall be accompanied by a copy of the court order authorizing receipt of such reports. This fee may be waived in whole or in part by the Probation Department in accordance with the rules and regulations approved by the County Executive.

B. DEPARTMENT OF PLANNING

The Director of Planning Services shall collect a fee of \$10 for processing and responding to Federal Emergency Management Administration (FEMA) designated floodplain information requests. Phone information will be provide at a fee of \$5.00.

C. SHERIFF'S DEPARTMENT

(1) Pistol Permits. Pursuant to Penal Law §400.00(14), the licensing officer shall collect and pay into the County Treasury \$10 for each license to carry or possess a pistol or revolver. The Sheriff's Department shall collect a fee of \$5 for a pistol permit application packet.

(2) Fingerprints. The Sheriff's Department shall collect a fee of \$10 from person who request fingerprints, including but not limited to persons requiring fingerprints for liquor licenses, job applications, and pistol permits. A fee of \$74 shall be charged for fingerprints analysis required for pistol permits.

(3) Photographs. The Sheriff's Department shall collect a fee of \$10 for providing 8" by 10" photographs. The Sheriff's Department may charge a fee of \$10 for providing four (4) photographs suitable for pistol permit applications. Applicants may provide suitable, acceptable photographs of their own.

(4) Reckless Conduct. In addition to any other remedy which may exist, a person whose reckless conduct results in an expenditure by the County for the purpose of effectuating a rescue shall be liable for the amount of such expenditure and shall reimburse the County for such costs.

The County Attorney may institute any proper action, suit or proceeding to recover the amount owed. Reckless conduct shall mean a failure to exercise reasonable care, reasonable caution or the foresight of a reasonable prudent and careful person, with a deliberate disregard for the consequences of such conduct.

Section 2. This local law shall become effective upon filing with the Secretary of State.

Local Law 11-91 of the County of Chautauqua is hereby repealed in its entirety.

Introduced: 7/22/1996

Amended: August 14, 1996

Approved by Legislature: 8/28/1996 R/C Vote: 21 Yes; 4 Absent

Public Hearing: 9/12/1996

Adopted as Local Law 11-96