



County of Cayuga

Office of the Chairman
David S. Gould

EMERGENCY ORDER #2023-001

Index # 1900-CAYCNTY
FILED
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Cayuga Co Clerks Office
Susan M. Dwyer DW

WHEREAS, this country is experiencing a national immigration crisis that is overwhelming the ability of federal, state and local resources to feed, house and care for an ever increasing number of migrants and asylum seekers; and

WHEREAS, Cayuga County is aware of the efforts of one or more metropolitan cities attempting to transport some of these migrants and asylum seekers to other counties with little or no communication with the receiving county's officials and no planning for the short and long-term cost of providing necessary services such as food, shelter, medical care, and law enforcement and thereby imposing these burdens upon such counties without their consent; and

WHEREAS, as a result, as Chair of the Cayuga County Legislature, I have declared a State of Emergency effective May 19, 2023, for the purpose of preserving and protecting the health, safety and welfare of Cayuga County and its citizens;

NOW, THEREFORE, I hereby order as follows:

Section 1. Prohibition of foreign municipal programs that burden Cayuga County.

- A. No person, company, corporation, partnership, or other entity may enter into a contract with any municipality other than Cayuga County to transport migrants or asylum seekers to locations within Cayuga County, or to house persons at locations within Cayuga County for any length of time without the express written permission of the County Legislative Chair. In addition, no person, company, corporation, partnership, or other or entity may act on behalf of any municipality or in the performance of a municipal program, or other act funded by a municipality, to perform any act in violation of this subsection.
- B. No hotel, motel, owner of multi-family dwelling or owner of real property in Cayuga County is permitted to contract or otherwise engage in business with any municipality other than the County of Cayuga (an "outside municipality") for the purpose of providing housing or accommodations for migrants or asylum seekers.
- C. Remedies.
 - 1. **Appearance tickets.** The Sheriff is authorized to issue appearance tickets for any violation of this Emergency Order for the penalty prescribed by NYS Executive Law § 24(5).

2. **Civil penalties.** In addition to the penalties prescribed by NYS Executive Law §24(5), any person, company, corporation, partnership, or other entity who violates any provision of this Emergency Order, shall be liable to a civil penalty of up to \$2,000 per migrant/asylum seeker housed by the outside municipality or other violator, for each day or part thereof during which such violation continues. The liability for the penalties set forth herein shall be joint and several against both the outside municipality and the violator who contracts or otherwise engages in business with such outside municipality. The civil penalties provided for herein shall be recoverable in an action instituted in the name of this County and initiated by the County Attorney.
3. **Abatement.** In addition to any other remedy or relief at law or in equity sought by the County for a violation of this Executive Order, the County Attorney is authorized to commence actions or proceedings in the name of the County, in a court of competent jurisdiction, to seek injunctive relief or to otherwise abate any violation of, or to enforce any provision of this Emergency Order.
4. **Remedies not exclusive.** No remedy or penalty specified in this Emergency Order or in NYS Executive Law §24 shall be deemed the exclusive remedy or only remedy available to address any violation described in this Emergency Order. Each remedy or penalty specified in this Emergency Order shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this Emergency Order or in any other applicable law.
 - a. The exercise of any of the penalties or other remedies provided in this Emergency Order or in any other applicable law shall not be deemed a waiver of any other remedy or penalty available to the County of Cayuga, nor shall such exercise be deemed an election of remedies.
 - b. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this Emergency Order or in any other applicable law.
 - c. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in NYS Executive Law Section 24, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in NYS Executive Law Section 24.
- E. **Notifications.** In addition to such other powers or duties the Sheriff of Cayuga County may consider in the exercise of the Sheriff's duties with respect to this Emergency Order, the Sheriff is authorized and directed by this Emergency Order to make limited stops to notify persons suspected of transporting migrants or asylum seekers into Cayuga County in violation of the restrictions and regulations of this Emergency Order, and to similarly, notify the owners and

operators of facilities suspected of housing any migrants or asylum seekers, or seeking to or entering into agreements with external municipalities, without the express written permission of the County Legislative Chair as required by this Emergency Order.

Section 2. **Punishment**

In accordance with Executive Law Section 24, any person who knowingly violates the provisions of this order shall be guilty of a Class B Misdemeanor.

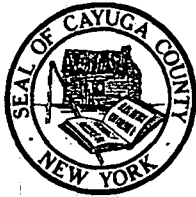
Section 3. **Effective Date**

This Executive Order shall take effect immediately.

Section 4. **Duration of Local Emergency Order**

The Local Emergency Order shall remain in effect for five days unless sooner modified, extended, or revoked, and may be extended for additional periods not to exceed five days during the pendency of the local state of emergency.

GIVEN, under my hand and the Seal of the County of Cayuga this 19th Day of May, in the year Two Thousand Twenty-Three.



County of Cayuga

David S. Gould

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Chair of the Cayuga County Legislature