

Warren County Board of Supervisors

COUNTY OF WARREN EXTENSION OF LOCAL EMERGENCY ORDER 1.5 OF 2025

WHEREAS, by proclamation dated January 3, 2025, and by the authority vested in me as the Chairman of the Warren County Board of Supervisors, Kevin B. Geraghty, (hereafter, “Chairman”) under the laws of the State of New York, pursuant to section 24 of Article 2-B of the New York State Executive Law, declared that public health and public safety were sufficiently imperiled such that a state of emergency within the territorial limits of Warren County was required to protect the public health and public safety of Warren County residents; and

WHEREAS, it is anticipated and expected that the City of New York shall relocate persons found within its territorial boundaries, who are now receiving public assistance and care, to include temporary housing, by bus and other forms of transportation from the City of New York to Warren County, in violation of New York State law, for an unknown period of time, without any prior communication, coordination, planning or management with the officers and employees of the County of Warren, and without any plan to return such persons to the City of New York, thereby causing an immediate shock, strain and crisis upon the County’s public health services, programs and resources, the County’s social services programs and resources, and the County’s emergency services; and

WHEREAS, the unilateral relocation of people in need of public assistance and care out of the territorial boundaries of the City of New York by their officers, employees, agents and contractors, by bus or other means of transportation, will drastically increase homelessness in Warren County, threaten the health and public safety of Warren County residents, negatively impact the health and safety of persons currently in Warren County who are in need of public assistance and care, public health services and social services who reside in Warren County, and negatively impact the health, safety and welfare of persons in need of public assistance and care who are relocated by the City of New York to Warren County in violation of Social Services Law.

NOW, THEREFORE, by the authority vested in me by section 24 of the New York State Executive Law to ensure for the adequate care of persons in need of public assistance and to protect the public health in Warren County, and to avoid a large-scale humanitarian crisis and disaster emergency within Warren County which would result in the depletion of limited, available County resources, it is hereby

ORDERED, that no person, business, or entity shall agree or contract for consideration with any Federal, State, or municipal government, or their officers, employees, agents, representatives, or contractors (hereafter, “external municipality”) to transport into the territorial jurisdiction of Warren County any persons currently receiving public assistance and care from the City of New

York, or any other municipal government located outside of Warren County, absent the prior approval of the Warren County Board of Supervisors by resolution; and it is further

ORDERED, that no owner or operator of any hotel, motel, short-term rental, campground, or multiple unit dwelling located in Warren County (hereafter “overnight accommodation”) shall agree or contract to sell, lease, rent or otherwise provide for value or monetary compensation any room or habitable space inside an overnight accommodation to any municipality located outside Warren County for the purpose of housing persons receiving public assistance and care from the City of New York or other municipal government in the State of New York in an overnight accommodation absent the prior approval of the Warren County Board of Supervisors by resolution; and it is further

ORDERED, that a written proposal for prior approval to transport and/or provide overnight accommodation for any municipality for any person receiving public assistance and care from the City of New York (hereafter, “NYC Homeless Persons”) or other municipal government outside Warren County, to the Warren County Board of Supervisors will be considered only when such a proposal provides:

1. That the external municipality has a specific plan and timetable for when and how the NYC Homeless Person or other person shall be returned to the external municipality from which they will arrive, or to another agreed-to location outside Warren County; and
2. That the external municipality shall return all NYC Homeless Persons or other persons brought to Warren County within thirty (30) days of their arrival back to the external municipality from which they were temporarily relocated, without prior written time extensions for remaining in Warren County, as authorized by the Chair of the Board of Supervisors; and
3. That the external municipality demonstrates the presence of funding required to pay the public assistance and daily needs for each NYC Homeless Persons or other person which the external municipality intends to bring to Warren County for the entire time of the intended stay in Warren County and that the external municipality provide a surety, performance bond, or other acceptable form of collateral required by the Chair of the Board of Supervisors to ensure for the continuing care of such NYC Homeless Persons or other persons during the intended stay in Warren County, as well as for an additional period of time that relocated NYC Homeless Persons or other persons may remain in Warren County; and
3. That the external municipality promises to pay and assumes all costs expended by the County of Warren and by any municipality located in Warren County, with the term “municipality” being defined by section 800(4) of the New York State General Municipal Law (hereafter, “local municipalities”) for the health, safety, general welfare, or other expenses related to the interactions of the County of Warren and local municipalities with the NYC Homeless Persons or other persons, and pays all such costs within seven (7) days of written demand; and
4. That the external municipality enters into a written agreement with the County of Warren which is approved by the Warren County Board of Supervisors and executed by the Chair of the Board of Supervisors which promises and agrees to indemnify,

defend and hold harmless the County of Warren, its officers, employees and agents, from and against all claims, damages, losses, and expenses (to include attorneys' fees, costs and disbursements) which arise out of or result from the performance of the agreement which are sustained by any person attributable to any bodily injury, sickness, disease, death, injure to or destruction of property caused by the tortious act, or the negligent act or omission by the external municipality, its officers, employees, contractors, consultants, agents, or the NYS Homeless Persons or such other persons relocated to Warren County by the external municipality, to the fullest extent provided by law and that the external municipality promises to promptly pay and reimburse the County of Warren for all costs incurred for all public assistance, health care and welfare expenses, emergency services expenses, to include law enforcement expenses, and such other expenses related to the interactions of the County of Warren with the NYC Homeless Persons and other persons relocated to Warren County and in need of public assistance and care; and it is further

ORDERED, that any person, corporation, limited liability company, partnership, or any other form of business entity authorized to conduct business in the State of New York, which violates the provisions of this Order shall be guilty of a class B misdemeanor for each such NYC Homeless Person or other person that is either:

1. Bused, or otherwise transported into the territorial jurisdiction of Warren County when such NYC Homeless Person was receiving public assistance or care from an external municipality within thirty (30) days prior to the person's relocation from the external municipality to Warren County; or
2. Housed overnight in an overnight accommodation located within the territorial jurisdiction of Warren County, with each overnight stay by a NYC Homeless Person being a separate violation of this Local Emergency Order; and it is further

ORDERED, that criminal penalties and punishment for persons that violate this Local Emergency Order shall be up to six (6) months in jail, and a criminal fine up to Five Hundred and 00/100 Dollars (\$500.00) per violation; and the criminal penalties and punishment for corporations that violate this Local Emergency Order shall be a criminal fine up to Two Thousand and 00/100 Dollars (\$2,000.00) per violation; and it is further

ORDERED, that any person, corporation, limited liability company, partnership, or any other form of business entity authorized to conduct business in the State of New York, which violates the provisions of this Local Emergency Order shall be civilly liable for a civil penalty up to TWO THOUSAND and 00/100 DOLLARS (\$2,000.00) per violation, with each NYC Homeless Person bused into the territorial jurisdiction of Warren County and each NYC Homeless Person housed overnight in an overnight accommodation located in the territorial jurisdiction of Warren County, constituting a separate and independent violation of this Local Emergency Order, and subject to the civil penalty set forth herein and under the laws of the State of New York; and it is further

ORDERED, that any local law enforcement agency, to include the Warren County Sheriff

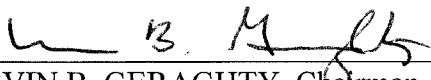
or a designee; the Chairman of the Warren County Board of Supervisors or a designee; the Commissioner of the Warren County Department of Social Services, or a designee, and the Director of Warren County Health Services, or a designee, are authorized to issue an appearance ticket for any violation of this Local Emergency Order for the penalties prescribed herein and as provided by section 24(5) of the New York State Executive Law; and it is further

ORDERED, that without regard for any other remedy or relief brought by the County of Warren, its officers and employees for any violation of the Local Emergency Order, the Warren County Attorney, or his designee, is authorized to commence actions or proceedings in the name of the County of Warren in a court of competent jurisdiction to cease and desist any violation of this Local Emergency Order, or to enforce any provision of this Local Emergency Order; and it is further

ORDERED, that no remedy or penalty specified in this Emergency Order shall be the exclusive remedies available to address any violation described in this Local Emergency Order and each remedy or penalty set forth by this Local Emergency Order shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties set forth by this Local Emergency Order.

This Local Emergency Order shall take effect immediately and remain in effect for five (5) days unless sooner modified, extended or rescinded, and may be extended for additional periods to not exceed five (5) days during the pendency of the local state of emergency.

Dated: January 27, 2025
Lake George, New York



KEVIN B. GERAGHTY, Chairman
Warren County Board of Supervisors

cc: Clerk of the Warren County Board of Supervisors
Warren County Clerk
Office of the Secretary of State
New York State Office of Emergency Management