

EMERGENCY ORDER

Local Emergency Order for Schoharie County:

I, William A. Federice, the Chairman of Schoharie County Board of Supervisors, in accordance with Schoharie County's Declaration of a State of Emergency issued on 26 June 2025 and the Governors Executive Order Declaring a Disaster Emergency in the State of New York, and pursuant to Section 24 of New York State Executive Law, do hereby order:

Section 1. Prohibition of foreign programs that burden the County.

- A. No municipality may make contracts with people, businesses, or entities doing business with the County to transport migrants or asylum seekers to locations in the County, or to house persons at locations in the County for any length of time without the express written permission of the County Board Chair or his designee. In addition, no person or entity may act on behalf of any municipality or in performance of a municipal program, or other act funded by a municipality, to perform an act in violation of this subsection.*
- B. In September 2023 the Mayor of the City of New York, in an effort to evade and subvert Schoharie County Emergency orders that have been continuously renewed every five days, through extrajudicial means, announced plans to expand the New York City Fighting Homelessness and Eviction Prevention Supplement Program by providing up to five years of rental vouchers to New York City residents who relocate from New York City to counties in upstate New York and Long Island. Therefore, acceptance of these rental vouchers shall not be accepted by landlords without approval by the Schoharie County Board of Supervisors Chairman, or his designee, or the designee of the Schoharie County Board of Supervisors, without assurances and bond, if deemed necessary, that the County will not incur any expenses associated with the relocation or supplemental living expenses.*
- c. No hotel, motel, owner of a multiple dwelling, or shelter in Schoharie County is permitted to contract or otherwise engage in business with any other municipality other than the County of Schoharie (an "external municipality") for the purpose of providing housing or accommodations for migrants or asylum seekers without a license granted by the County. This prohibition extends to any person or entity participating in an external municipality's government program, or a contract or service funded by an external municipality or acting on behalf of any external municipality.*
 - 1. Only the Schoharie County Health Department Director will grant licenses. The Director or her designee may enlist the services of any other agency within the County government to perform the duties necessary to affect this provision.*
 - 2. Licenses will only be granted where, to the satisfaction of the Director or her designee, both the applicant and the foreign municipality demonstrate that:*

- i. *The contract provides that the migrants or asylum seekers will be returned to the foreign municipality from which they arrived or another location outside the County, within fifteen days: and*
 - ii. *The foreign municipality demonstrates to the County that it has sufficient funding to sustain the needs of the migrants or asylum seekers during the time of their stay; and*
 - iii. *The foreign municipality agrees to assume any costs expended by any municipality in the County ("domestic municipalities") including the County itself, for the care, welfare, law enforcement interactions, or other expenses related to municipal interaction with the migrants or asylum seekers upon demand; and*
 - iv. *The applicant and the foreign municipality each have a performance bond for the conditions set by the license in the amount of \$2,000 per migrant or asylum seeker being housed or boarded at the applicant's facility.*
3. *The conditions described in this section will not apply to any contract directly between the foreign municipalities and the County.*
4. *License renewal will be at the sole discretion of the Director or her designee, after consideration of the purpose and intent of the State of Emergency that initiated this Emergency Order.*

D. Remedies

1. *Appearance tickets. The Schoharie County Sheriff's Office is authorized to issue appearance tickets for any violations of the Emergency Order for the penalty prescribed by New York State Executive Law Section 24(5).*
2. *Civil penalties. In addition to those penalties prescribed by New York State Law 24(5), any person who violates any provision of the Emergency Order of any term or condition of any license issued pursuant to this Emergency Order, shall be liable to a civil penalty, to be determined by a process set by the Director or her designee, of not more than \$2,000 per migrant/asylum seeker housed by the foreign municipality or other violator, for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this County and initiated by the Director or her designee.*
3. *Abatement. Regardless of any other remedy or relief brought by the County for any violation, the Director or her designee is authorized to direct the County Attorney to commence actions or proceedings in the name of the County, in a court of competent jurisdiction, to abate any violation of, or to enforce any provision of this Emergency Order.*

E. Remedies not exclusive

1. *No remedy or penalty specified in this Emergency Order shall be the exclusive remedy or remedy available to address any violation described in this Emergency Order.*
2. *Each remedy or penalty specified in the 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.*

3. 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.
4. 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 New York State 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 New York State Law Section 24.

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 place at Noon on 1 July 2025.

Section 4. Duration of Local Emergency

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.

Failure to obey this order is a criminal offense, punishable by law under New York State Executive Law Section 24(5).

Signed at Noon on 1 July 2025 in Schoharie County, New York.



William A. Federice, Chairman

Schoharie County Board of Supervisors