

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County _____

~~CITY~~

~~TOWN~~

~~VILLAGE~~

of _____ Niagara _____

Local Law No. _____ 1 _____ of the year 20 03

A local law _____ amending Local Law No. 5 for the year 1998
(Insert Title)

Be it enacted by the _____ Legislature _____ of the
(Name of Legislative Body)

County _____

~~CITY~~

~~TOWN~~

~~VILLAGE~~

of _____ Niagara _____ as follows:

A LOCAL LAW AMENDING LOCAL LAW NO. 5 FOR THE YEAR 1998

1. Local Law No. 5 for the year 1998, and the same hereby is, amended so as to delete Section 3 thereof in its entirety and insert therein a new Section 3, to read as follows:

Section 3. Filling Vacancy in Elective Office of County Legislator.

A vacancy, otherwise than by the expiration of a term in office, in the elective office of County Legislator, shall be filled by appointment by the County Legislature based upon the recommendation of a majority of the County Legislators of the same political affiliation with which the person last elected to such office was registered. A vacancy shall be included in the total count when said recommendation is being made by a majority of the County Legislators of the same political affiliation. The recommendation shall be communicated in writing and filed with the Clerk of the County Legislature. Provided, however, that if the County Legislature shall fail to appoint any person recommended within thirty (30) days after this filing, then the majority of the County Legislators of the same political affiliation with which the person last elected to such office was registered may appoint such person. In the event that the vacancy in the elective office of County Legislator is of a person who is the sole member of the political affiliation with which the person last elected to such office was registered, the vacancy shall

(If additional space is needed, attach pages the same size as this sheet, and number each.)

be filled by the majority vote of the County Legislature with a person of the same political affiliation. The person newly appointed shall be a qualified elector of the County and shall be a resident of the district to which such appointment is made. The person appointed shall hold office by virtue of such appointment pursuant to Article 13, Section 3 of the Constitution of the State of New York and such other laws as may be applicable.

2. This Local Law shall become effective immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2003 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Niagara was duly passed by the Niagara County Legislature on March 4 2003, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____¹_____, above.

Sean M Smith

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: 3/6/03

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF NIAGARA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Handwritten Signature]

Signature

County Attorney
Title

County
~~CITY~~ of Niagara
~~TOWN~~
~~Village~~

Date: March 5, 2003