

Local Law Filing

(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
(Select one:)

of Niagara

Local Law No. 1 of the year 20¹⁵

A local law Amending Local Law No. 4 of 2003 Establishing an Administrative Code for the County of
(Insert Title)
Niagara

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

☒ County ☐ City ☐ Town ☐ Village
(Select one:)

of Niagara as follows:

A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2003 ESTABLISHING AN
ADMINISTRATIVE CODE FOR THE COUNTY OF NIAGARA

WHEREAS, the County Legislature of the County of Niagara, enacted Local Law No. 4 of 2003 establishing an Administrative Code for the County of Niagara, and

WHEREAS, the County Legislature of the County of Niagara, amended Local Law No. 4 of 2003 by Local Law No. 1 of 2006, Local Law No. 5 of 2008, and Local Law No. 2 of 2011, and

WHEREAS, the County Legislature of the County of Niagara, does hereby rename the Public Works Committee as the Infrastructure and Facilities Committee, and

WHEREAS, the County Legislature of the County of Niagara, does hereby remove the Information Technology, from the jurisdiction of the Administration Committee and does hereby designate the Infrastructure and Facilities Committee for the oversight and jurisdiction of Information Technology, and

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

WHEREAS, the County Legislature of the County of Niagara, does hereby create a Buildings and Grounds department and does hereby designate the Infrastructure and Facilities Committee for the oversight and jurisdiction of such Buildings and Grounds Department, and

WHEREAS, the County Legislature of the County of Niagara, does hereby designate the County Manager to make the appointment for the Director of Buildings and Grounds Department and therefore Section A3-3 (i) shall be amended to reflect such addition, and

WHEREAS, the County Legislature of the County of Niagara, by Local Law No. 5 of 2008, did delete the Title of Commissioner Parks and Recreation, therefore the County Manager no longer makes an appointment for such position and therefore Section A3-3 (i) shall be amended to reflect such deletion, and

WHEREAS, the County Legislature of the County of Niagara, does hereby designate the County Manager to appointment the Director of Risk and Insurance Services and therefore Section A3-3 (i) shall be amended to reflect such appointment, and

WHEREAS, the County Legislature of the County of Niagara, by Local Law No. 5 of 2008 amended the Administrative Code to create the position of Homeland Security and Emergency Management and such position became responsible for those duties which had previously been performed by Fire Coordinator/Emergency Services [Administrative code Sections A2-9(2)€ and A3-3(1)(i)(6)], and

WHEREAS, the County Legislature of the County of Niagara, did not fill the position of director of Homeland Security and Emergency Management as permitted by such amendment to the Administrative Code by Local Law No. 5 of 2008, and

WHEREAS, the County Legislature of the County of Niagara, desires to amend the Administrative Code to make the positions consistent with the duties that are presently being performed and Fire and Emergency Services are being provided and therefore the title of Director of Homeland Security and Emergency Management shall be amended to Fire Coordinator/Emergency Services [Administrative Code Sections A2-9(2)€ and A3-3(1)(i)(6)], and

WHEREAS, the County Legislature of the County of Niagara, does hereby amend Local Law No. 4 of 2003 establishing an Administrative Code for the County of Niagara, as amended by Local Law No. 1 of 2006, Local Law No. 5 of 2008, and Local Law No. 2 of 2011, by a Local Law of the County of Niagara, New York for the year 2015 as follows:

ARTICLE II. THE COUNTY LEGISLATURE

§A2-9. Committees of the County Legislature: Jurisdiction, Powers and Duties

A. The jurisdiction of the committees shall be as follows:

- (1) Administration
 - (a) County Manager
 - (b) County Attorney
 - (c) Management & Budget
 - (d) Treasurer
 - (e) Audit
 - (f) Real Property

- (g) Clerk of the Legislature
 - (h) Printing/Mailing
 - (i) Human Resources
 - (j) Civil Service
 - (k) Risk Management
 - (l) Board of Elections
- (2) Community Safety and Security
- (e) Fire Coordinator/Emergency Services
-
- (5) Infrastructure and Facilities
- (a) Public Works
 - (b) Parks/Golf Course
 - (c) Refuse District
 - (d) Water District
 - (e) Sewer District
 - (f) Weights and Measures
 - (g) **Information Technology**
 - (h) **Buildings and Grounds**

A3-3. Powers and Duties

1. Without curtailing, diminishing or transferring the powers of any elected County official, the County Manager shall be responsible for the overall administration of county government and shall provide and coordinate staff services to the County Legislature, Chair of the Legislature and its committees. The County Manager shall perform all the duties now and hereafter conferred or imposed upon the officer by law and directed by the County Legislature and shall have all powers and perform all the duties necessarily implied or incidental thereto. Among such powers and duties, but not by way of limitation, are:

- (a) To serve as the Chief Executive and Administrative Director of County Government;
- (b) To exercise supervision and control over the activities of County department directors and supervise the administration of all units of County government to most effectively implement the directives of the Legislature in accordance with applicable law, but shall not exercise administrative control over the County Auditor, the County Treasurer, the County Attorney, the District Attorney, the County Sheriff, the Public Defender, the County Clerk, or any other publicly elected official;
- (c) To determine which employees of the County shall perform particular duties not clearly defined by law or this Local Law;
- (d) To execute and enforce all Local Laws, legalizing acts, ordinances and resolutions of the County Legislature and all other acts required by law;
- (e) To serve as an advisor to the County Legislature and develop policy and procedural recommendations for consideration of the Legislature;
- (f) To undertake research and submit to the County Legislature reports and recommendations regarding governmental operations as may be deemed appropriate or the County Legislature may request, and provide such assistance to the Legislature and its committees as may be requested by the Legislature;

- (g) To serve as liaison between the County Legislature and the boards, commissions, agencies, and advisory committees established by the Legislature;
- (h) To maintain liaison and represent the County Legislature in contacts with political subdivisions, State and Federal officials and agencies;
- (i) To make appointments for the heads of units of County government listed below, subject to the confirmation of the County Legislature:
 - 1. Director of the Office of the Aging
 - 2. Commissioner of Public Works
 - 3. Director of Information Technology
 - 4. Director of Human Resources
 - 5. Director of Employment and Training
 - 6. Fire Coordinator and Director of Emergency Services
 - 7. Commissioner of Economic Development
 - 8. Director of Probation
 - 9. Director of Real Property Tax Services
 - 10. Commissioner of Social Services
 - 11. Director of Veterans' Services
 - 12. County Historian
 - 13. Director of Risk & Insurance Services
 - 14. Director, Office of Management and Budget
 - 15. Director of Building and Grounds

and such other officers, department heads and employees as the County Legislature shall designate by Local Law or Resolution, with the exception that the County Legislature retains appointing and removal powers for the position of Civil Service Personnel Officer pursuant to the Civil Service Law of the State of New York.

ARTICLE IV. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the State.

(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 2015 of the (County)(City)(Town)(Village) of Niagara was duly passed by the Niagara County Legislature on March 3 2015, 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) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2015, in accordance with the applicable provisions of law.

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) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

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.

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) (Name of Legislative Body) (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.

* 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.

Mary Jo Tamburini

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

Date: March 9, 2015

(Seal)

