

(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~~ of Niagara
~~TOWN~~
~~VILLAGE~~

Local Law No. 6 of the year 19 98

A local law Eliminating the Department of Code Enforcement and Creating the Positions of
(Insert Title) Code Enforcement Officers for the County of Niagara

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

County
~~CITY~~ of Niagara as follows:
~~TOWN~~
~~VILLAGE~~

**A LOCAL LAW ELIMINATING THE DEPARTMENT
OF CODE ENFORCEMENT AND CREATING THE POSITIONS OF
CODE ENFORCEMENT OFFICERS FOR THE COUNTY OF NIAGARA**

1. Local Law No. 5 of the year 1995 entitled "A Local Law Establishing Code Enforcement for the County of Niagara" is hereby repealed.
2. A Local Law for the year 1998 is hereby enacted as follows:

SECTION 1. Purpose and Scope

Adoption of the New York State Uniform Fire Prevention and Building Code is hereby accepted by and made applicable to the County of Niagara in accordance with the provisions of Article 18 of the Executive Law of the State of New York.

SECTION 2. Administration and Enforcement

1. The Niagara County Legislature shall appoint Code Enforcement Officers, upon such terms and conditions of employment as the Legislature shall establish. Such Code Enforcement Officers shall have, at least, the minimum qualifications established by the New York State Civil Service guidelines at the time of appointment. The Code Enforcement Officers shall be under the direction of the Fire Coordinator.

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

2. Each Code Enforcement Officer is hereby charged with the duty of administering and enforcing the New York State Fire Prevention and Building Code with jurisdiction only over County buildings or premises. The Code Enforcement Officer shall order, pursuant to State law, the removal or remedying of all violations and is authorized to issue all orders, notices and other processes that may be necessary in the enforcement of such code.

3. Pursuant to General Municipal Law section 381(2) and 19 N.Y.C.R.R. 441.3, the County shall not be obligated, absent an express agreement with the Niagara County Industrial Development Agency, to enforce the provision of the Uniform Code in regard to any building, premises, or project under the custody of or associated with the Niagara County Industrial Development Agency.

SECTION 3. Liability

No Code Enforcement Officer shall, while acting pursuant to the provisions of this ordinance, be personally liable for any damage that may accrue to persons or property as the result of any act required or permitted in the discharge of his or her official duties, providing that such acts are performed in good faith and without gross negligence.

SECTION 4. Effective Date

Paragraph 1 of Section 2 shall take effect immediately. All other provisions of this Local Law shall take effect January 1, 1999.

(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. 6 of 19 98 of the (County)~~(City)(Town)(Village)~~ of Niagara was duly passed by the County Legislature on May 5 19 98, 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 19 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, 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 19 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, 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 19 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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 chairman 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 19 ____ 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 _____ 19 ____, 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 19 ____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19 ____, 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 of 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.

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

Date: 5/21/98

(Seal)

(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.

Signature

County Attorney

Title

County
~~CITY~~ of Niagara
~~TOWN~~
~~VILLAGE~~

Date: 5/8/98