

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 of Niagara

Town

Village

Local Law No. 1 of the year 20 10

A local law to Amend the Filling of vacancies in the Office of Niagara County Legislature
(Insert Title)

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

County

City of Niagara

Town

Village

as follows:

1. Local Law No. 6 for the year 1994, as amended by Local Law No. 5 in 1998, as amended by Local Law No. 1 in 2003, and amended by Local Law No. 8 in 2004, is hereby further amended so as to amend the current provision thereof at Section 3, Subdivision (a) and insert therein a new Section 3 subdivision (a) to read as follows:

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

(a) A vacancy, otherwise than by expiration of term, in the elective office of County Legislator, shall be filled by appointment by a majority vote of the duly elected members of the Niagara County Legislature. The vacancy and any holdover to such vacancy shall not be included in the total count for which there is to be a majority vote. The person newly appointed shall be a qualified elector of Niagara County, and shall be a resident of the Legislative District to which such appointment is made. The person so appointed shall hold office from the date of appointment through and until December 31st of the year of such appointment. Such vacancy shall be filled at the next succeeding General Election, and the person so elected shall take office on the day immediately following certification by the Niagara County Board of Elections of the results of such election and shall serve for the remainder of the term of such office of Niagara County Legislator.

2. This Local Law shall become effective 45 days after its adoption during which time said Local Law is subject to permissive referendum.

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



(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. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, 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 _____.
(Name of Legislative Body)
(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. 1 of 20 10 of the ~~(County)(City)(Town)(Village)~~ of Niagara was duly passed by the Niagara County Legislature on January 19 20 10, and was (approved)(not approved) _____ (repassed after disapproval) by the Niagara County Legislature on January 19 20 10. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of March 6, 2010 20 _____, in accordance with the applicable provisions of law.
(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 _____, above.

Mary J. Tamburino

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

(Seal)

Date: 3/10/10

(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
Niagara County Attorney
Title

County _____
City of Niagara
Town _____
Village _____

Date: _____