

COUNTY OF ERIE

LOCAL LAW NO. 8-1974

LOCAL LAW INTRO. NO. 16 (Print #1)

1974

A LOCAL LAW amending Local Law No. 1 - 1959, constituting the Erie County Charter, by REPEALING Section 205 thereof and substituting a new Section 205 which sets forth provisions for procedure for adoption of local laws corresponding to those now appearing in New York State Municipal Home Rule Law, Section 21.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE, AS FOLLOWS:

Section 1. Purpose. Erie County Charter, Section 205, as presently constituted sets forth certain procedures for adoption of local laws which were previously contained in County Law, Article 6, but this latter article was repealed by the Municipal Home Rule Law, effective January 1, 1964. In particular, Charter Section 205 as it relates to veto power of the county executive within 10 days after the passage of a local law by the county legislature is at variance with the 30 days allowed for a veto by Municipal Home Rule Law Section 21. Consequently, the present Charter Section 205 is being replaced with a new Section 205 which restates the pertinent provisions relating to the procedure for adoption of local laws as they appear in New York State Municipal Home Rule Law Section 20 and Section 21.

Section 2. Section 205 of Local Law No. 1 - 1959, constituting the Erie County Charter is hereby REPEALED, and a new Section 205 is substituted therefor, reading as follows:

Section 205. Procedure for adoption of local laws.

Every local law adopted by the county legislature shall be certified by the clerk thereof after its adoption by such body and shall be presented to the county executive for approval by him. No local law shall be approved by the county executive until a public hearing thereon has been held before him. This hearing shall be held on public notice of at least 5 days, such notice to be given by the county executive within 10 days after the local law shall have been presented to him, and the hearing shall be held within 20 days after such presentation. If the county executive approves the local law, he shall sign it and return it to the clerk of the county legislature. If he disapproves it, he shall return it to the clerk with his objections stated in writing, and the clerk shall present the law with such objections to the county legislature at its next regular meeting. Such objections shall be entered in the legislature's record of proceedings. The county legislature within 30 days thereafter may reconsider the local law. If after the reconsideration such local law is repassed by a vote of at least  $\frac{2}{3}$  of the total voting power of the county legislature, it shall be deemed adopted, notwithstanding the objections of the county executive. Only one vote shall be had upon such reconsideration. The vote shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the record of proceedings. If within 30 days after a local

and purchasing regulations and procedures set forth in the Charter and Administrative Code.

Section 2. Local Law No. 1 - 1959, constituting the Erie County Charter, is hereby amended by renumbering the present subsection b. of Section 310 as subsection c. and by adding a new subsection b. to read as follows:

b. The acquisition, replacement, operation and informational input and output of any computers and related electronic equipment used by the Department of Central Police Services in connection with any criminal justice program shall be under the exclusive control of the Commissioner of Central Police Services, subject to contracting and purchasing regulations and procedures set forth in the Charter and Administrative Code.

Section 3. Effective date. This local law shall be effective immediately.

*October 18, 1974, acknowledgment from  
Secretary of State*

*Meeting 19, 9/3/74, Item 13, Public Safety  
Meeting 21, 9/24/74, Item 12, adopted  
Meeting 21, 9/24/74, Item 28, R3, committee approval  
10/9/74 - County Executive signed R# 11*