

Please Use this Form for Filing your 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 ERIE
~~Town~~
~~Village~~

RECEIVED
SECRETARY OF STATE
AUG 14 1989
[Signature]

Local Law No. 8 of the year 1989

A local law amending Erie county local law number one of nineteen hundred fifty-nine, constituting the Erie county charter as amended; and amending Erie county local law number one of nineteen hundred sixty, constituting the Erie County Administrative code, as amended, with respect to the Erie county laboratory.

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

County
~~City~~ of ERIE as follows:
~~Town~~
~~Village~~

Section 1. Erie county local law number one of nineteen hundred fifty-nine, constituting the Erie county charter, as amended, is hereby amended by amending section five hundred three thereof to read as follows:

Section 503. Board of Health. There shall be in the department a board of health, the members of which shall be appointed by the county executive. The composition of such board in regard to the number of members and professional, governmental or other representation, and the terms of such members, shall be as provided in the public health law for a county board of health. The board of health shall at the request of the commissioner, and may on its own initiative, advise on matters relating to the preservation and improvement of the public health and on matters relating to services and facilities of the county laboratory.

S2. Erie county local law number one of nineteen hundred fifty-nine, constituting the Erie county charter, as

(If additional space is needed, please attach sheets of the same size as this and number each)

amended, is hereby amended by adding thereto a new section five hundred five, to read as follows:

Section 505. County laboratory district; county laboratory; director. The county, including the cities, towns, villages and special districts situated therein shall continue to be a county laboratory district. There shall be in the department an Erie county laboratory headed by an assistant director. The county executive shall appoint as laboratory assistant director a person who shall possess such qualifications as may be prescribed by the public health council of the state of New York for a clinical laboratory director. Such appointment shall be for the term or balance thereof of the county executive making such appointment.

The director shall be responsible for the serological, bacteriological and other public health laboratory work for the county laboratory district, as required by the health commissioner. Except as otherwise provided in this charter, he shall exercise all powers and perform all duties of a county laboratory board.

§3. Erie county local law number one of nineteen hundred sixty, constituting the Erie county administrative code, as amended, is hereby amended by amending section 5.04 thereof to read as follows:

Section 5.04. Board of Health. The county executive shall appoint the members of the board of health in accordance with the provisions of section five hundred three of article V of the county charter. Such members shall be residents of the county health district. The county medical society of the county may submit to the county executive a

list of physicians from which the county executive may choose the medical members of the board of health. The terms of the members of the board of health first appointed by the county executive shall be made for the respective terms of six, five, four, three two and one years. Vacancies shall be filled by appointment for the unexpired terms. The board of health shall elect annually a chairman, vice-chairman and a secretary from among its members. Meetings of the board of health shall be held at the call of the commissioner of health or the chairman of such board on five days' written notice mailed to the last known address of such board members. The board of health shall have and exercise the powers and duties conferred or imposed upon such board by the county charter or this code. The board of health shall make recommendations and suggestions to the county executive relative to the qualifications and appointments of the commissioner of health and relative to the qualifications and duties of the deputy commissioners, assistant director of the laboratory, officers or employees of the department of health. The board of health shall submit to the county executive a program of health and laboratory services and facilities and rules and regulations concerning the rendition or operation of services and facilities in the health and laboratory programs.

§4. Erie county local law number one of nineteen hundred sixty, constituting the Erie county administrative code as amended, is hereby amended by renumbering section 5.06 thereof as section 5.07.

§5. Erie county local law number one of nineteen hundred sixty, constituting the Erie county administrative code, is amended by adding a new section 5.06 thereto to read as follows:

Section 5.06. County laboratory; assistant director.

The county executive shall appoint an assistant director of the laboratory who shall possess the qualifications required by section five hundred five of the county charter. The assistant director shall exercise all the powers and duties heretofore or hereafter conferred or imposed upon him by the county charter, by this code, by local law, by order or direction of the county executive, by order or direction of the Commissioner of health and by any applicable act of the legislature not inconsistent with the county charter or this code. Such powers and duties shall include but shall not be limited to any power or duty conferred or imposed upon a laboratory district by the public health law or other applicable law.

§6. Section sixteen hundred three of Erie county local law number one of nineteen hundred fifty-nine, constituting the Erie county charter, as amended, is hereby REPEALED.

§7. Section 16.03 of Erie county local law number one of nineteen hundred sixty, constituting the Erie county administrative code, as amended is hereby REPEALED.

§8. This local law shall take effect immediately.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 19~~
~~County~~
~~City~~
~~of the Town of~~ was duly passed by the
~~Village~~ (Name of Legislative Body)
~~on 19~~ in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. ... 8 ... of 19 89 ...
County
of the ~~City~~ of ERIE was duly passed by the LEGISLATURE
~~Village~~ (Name of Legislative Body)
on July 20 19 89 ~~not disapproved~~ and was approved repassed after disapproval by the COUNTY EXECUTIVE
Elective Chief Executive Officer
and was deemed duly adopted on August 7 19 89 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 19~~
~~County~~
~~City~~
~~of the Town of~~ was duly passed by the
~~Village~~ (Name of Legislative Body)
~~on 19~~ not disapproved
and was approved by the
~~repassed after disapproval~~ Elective Chief Executive Officer
~~on 19~~ Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19, in accordance with the applicable
annual
provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19

County
City
of the Town of was duly passed by the
Village (Name of Legislative Body)

on 19 not disapproved
and was approved by the
~~repassed after disapproval~~ Elective Chief Executive Officer

on 19 Such local law was subject to a permissive referendum and
no valid petition requesting such referendum was filed as of 19
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 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 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 §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 _____ above.

[Handwritten Signature]

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

Date: AUGUST 11, 1989

(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 _____ ERIE _____

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: Robert Mc Magee]

Signature

COUNTY ATTORNEY

Title

Date: AUGUST 9, 1989

County _____
City of _____ ERIE _____
Town _____
Village _____