

COUNTY OF ERIE

LOCAL LAW NO. 2 - 1980

A LOCAL LAW authorizing the County of Erie to acquire railroad facilities, for both passenger and freight service, and to make contracts with public corporations for the equipment, maintenance, purchase, lease or operation thereof.

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

Section 1. General Policy

Rail transportation is a vital element in the transportation network of Erie County. The continuation and improvement of passenger and freight rail transportation services, including the resumption of rail service on abandoned lines in Erie County and the aversion of threatened abandonments, is vital to the County and to the advancement of the job opportunities, health, general prosperity and economic welfare of the residents of Erie County.

Section 2. Acquisition of Railroad Facilities

The County of Erie is hereby empowered to acquire, by purchase or otherwise, all or any part of the property (both real and personal), plant and equipment of any railroad facility actually used, now or in the past, and useful for the convenience of the public and which is located within Erie County.

Section 3. Equipment, Maintenance and Operation

The County of Erie is hereby authorized to contract with any public corporation for the equipment, maintenance and operation (by itself or by its agents, lessees, permittees or contractors) of a railroad facility acquired by the County of Erie.

Section 4. Additional Powers

The powers granted by this local law shall be in addition to and not in substitution for any other power to acquire, construct, reconstruct, improve, equip, maintain, or operate any mass transportation capital project on mass transportation facility or to contract with any person, firm or corporation, either public or private, with respect to any such project or facility.

Section 5. Effective Date

This local law shall take effect immediately.

Acknowledged by Secy of State 2/28/80

the County of Erie pursuant to Section 3 above, such interests in and to real property owned by the County and used for railroad purposes so as to enable the public corporation to grant and convey permanent easements in and to such real property; provided, however, that such conveyance by the County of Erie shall be on the condition that any money received by the public corporation for such permanent easement(s) shall be held in trust by the public corporation for the purposes of equipping, maintaining or operating railroad facilities on such real property or for otherwise promoting the continuance and improvement of rail transportation services in Erie County.

Section 3. The provisions of County Law section 215 shall not apply to acts taken by the County of Erie pursuant to this Local Law.

Section 4. This Local Law shall become effective immediately subject to the provisions of Municipal Home Rule Law section 24 relating to local laws subject to referendum on petition.

Materials in brackets is deleted; new material is underlined.

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Marie V. Richardson