

COUNTY OF ERIE

LOCAL LAW NO. 5

LOCAL LAW INTRO. NO. 4

1984

A LOCAL LAW amending Local Law No. 1 - 1959 constituting the Erie County Charter, as amended, in relation to the Department of Health by amending Section 502 and in relation to the County Laboratory by amending Section 1603.

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

Section 1. Section 502 of Erie County Charter is amended to read as follows:

Section 502. Powers and duties of the commissioner. Except as otherwise provided in this charter, the commissioner of health shall have all the powers and perform all the duties conferred or imposed upon county health commissioners and/or county boards of health by law. He shall perform such additional and related duties as the county executive may prescribe.

The commissioner shall supervise and be responsible for, and shall appoint and have charge of the county medical examiners and their staff, which county medical examiners shall be physicians duly licensed to practice in the state of New York. The medical examiners shall have such powers

and duties as are or may be prescribed by any state law, county law, special act, or local law, including any duties previously assigned to the medical director as regards inquiries into deaths occurring without medical attendance. The chief medical examiner shall be keeper of the morgue.

§2. Section 1603 of the Erie County Charter is amended to read as follows:

Section 1603. County laboratory; director; advisory board. The county, including the towns, cities, villages and special districts situated therein, shall continue to be a county laboratory district. There shall be an Erie County Laboratory, headed by a director. The county executive shall appoint as laboratory director a pathologist or microbiologist who shall possess such qualifications as may be prescribed by the public health council of the state of New York. Such appointment shall be subject to confirmation by the county legislature, and shall be for the term or balance thereof of the county executive making such appointment.

The director shall be responsible for the pathological, toxicological, serological, bacteriological and other laboratory work for the county laboratory district, the county health district and the county hospital or hospitals. Except as otherwise provided in this charter, he shall

exercise all powers and perform all duties of a county laboratory board.

The county executive shall appoint a laboratory advisory board of nine members which shall at the request of the director, and may on its own initiative, advise on matters relating to laboratory facilities and services. The chairman of the board of health, the chairman of the hospital advisory board, the commissioner of health and the hospital superintendent shall be ex-officio members of such board. The five other members of such board at least two of whom shall be physicians licensed to practice in the state of New York, shall be appointed for five-year staggered terms.

S3. This Local Law shall take effect immediately.

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