

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
~~XXXX~~ of Erie
~~Town~~
~~Village~~

Local Law No. 4 of the year 20 05

A local law, amending Local Law No. 1-1959, constituting the Erie
(Insert Title)
County Charter as amended, in relation to the re-establishment,
restructuring and reconvening of the Erie County Charter
Revision Commission.

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

County
~~XXXX~~ of Erie as follows:

Section 1. PURPOSE. Section 1907 of Article 19 of Local Law #1-1959 constituting the Erie County Charter, as amended, establishing a Charter Revision Commission is repealed, and a new Section 1907 hereby establishing a Charter Revision Commission for the year 2005 is established as a fully amending Section 1907 of the Erie County Charter.

Section 2. CHARTER REVISION COMMISSION. That upon the adoption of this Local Law the County Legislature hereby creates a Charter Revision Commission to be established on or before April 15, 2005.

Section 3. THE PURVIEW OF THE CHARTER REVISION COMMISSION. The Charter Revision Commission shall study the operations of the County of Erie in their full scope; and shall consider the inter-municipal relations of the County of Erie and the myriad responsibilities that the County of Erie discharges in the course of its broadly defined duties to determine whether the Erie County Charter and the Erie County Administrative Code shall be further amended to render same as an effective framework for County government, and to adopt such amendments as may be necessary to facilitate the delivery of services to the public and to better coordinate the functions between departments and agencies of the County and the various Cities, Towns and Villages within the County. The Charter Revision Commission shall submit a final report, which shall include its findings, conclusions, and recommendations for appropriate action to the County Legislature and the County Executive on or before the 15th day of April, 2006.

Section 4. METHODOLOGY OF OPERATION. The Commission shall be provided with adequate resources incident to the discharge of its responsibilities as may be deemed necessary by the Erie County Legislature in the furtherance of its assigned duties.

Section 5. MEMBERSHIP. The Charter Revision Commission shall be composed of 23 members with one (1) member to be appointed by each District Legislator of the Erie County Legislature. The County Executive of the County of Erie shall appoint three (3) members, and the County Clerk, County Comptroller,

County Sheriff, and the District Attorney of the County of Erie shall have one appointee each to the Commission. In addition to the other designated appointment, the Chair of the Erie County Legislature shall also appoint the Chairperson of the Charter Revision Commission.

No member of the Commission shall hold public office, be an employee of Erie County nor serve on any other County boards, commissions, or advisory panels during the term of his/her appointment.

After its establishment and all 23 members are seated, the Commission shall also select a Vice Chairperson and a Secretary through a majority vote.

Section 6. REPORTS AND RECOMMENDATIONS. The County Legislature shall act on all reports and recommendations submitted to it in a timely fashion by the Charter Revision Commission by either approving or disapproving each recommendation separately within three (3) months from the date of the submission of the findings, conclusions and report of the Commission.

Section 7. PUBLICATION. The Clerk of the Erie County Legislature is hereby authorized and directed to cause a copy of the foregoing Local Law to be published in the County's official newspapers.

Section 8. EFFECTIVE DATE. This Local Law shall take effect immediately upon its filing with the Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

(1-a)

(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. 4 of 20 05 of the ~~(County)(City)(Town)(Village)~~ of Erie was duly passed by the Erie County Legislature on April 7, 20 05, and was ~~(approved)(not approved)~~ XXXXXXX ~~(repassed after disapproval)~~ by the Erie County Executive and was deemed duly adopted on April 27 20 05, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

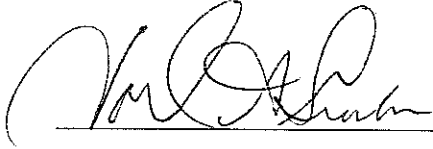
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20 _____.
(Name of Legislative 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. _____ 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 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(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.

A Public Hearing was held on the foregoing Local Law Intro. No. 5-2005 on Tuesday, April 26, 2005, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 27th day of April, 2005.



A Public Hearing was held on the foregoing Local Law Intro. No. 5-2005 on Thursday, April 26, 2005, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this 27 day of April, 2005.
