

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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
~~City~~ of CLINTON
~~Town~~
~~Village~~

Local Law No. 5 of the year 19 95

A local law Repealing Local Law #2 of 1978, "Filling Vacancies
(insert Title)
on the Board of Legislators" and Providing for Filling
Vacancies.

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

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

SECTION I.

If a vacancy occurs in the Clinton County Legislature, otherwise than by expiration of the term, the Clinton County Legislature shall fill the office within thirty (30) days of the vacancy by appointment of a resident of the district or area represented by said vacant office by at least six affirmative votes.

SECTION II.

A person appointed pursuant to Section I, to execute the duties of the office of Clinton County Legislator, shall continue until the vacancy shall be filled at the next general election. But if the term of such legislator shall expire within the calendar year in which the appointment shall be made, the appointee shall hold said office for the residue of the term.

SECTION III.

Upon the failure of the County Legislature to appoint an individual to fill the vacancy within the 30 day period as described in Section I, then if the vacancy occurs more than 120 days before the next General Election there shall be a Special Election within the District or area represented by the said vacant office to be held no less than 30 days nor more than 90 days after the vacancy shall occur.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION IV.

The date of the special election shall be determined by the Clinton County Legislature within the time frame hereinbefore stated. In the event the Clinton County Legislature fails to approve a date, then the special election shall take place on the Tuesday preceding the ninetieth day.

SECTION V.

In the event that the vacancy occurs less than 120 days before the next General Election, then the vacancy shall be filled at the next General Election. That the person so elected shall take office immediately after the Special Election vote has been officially certified.

SECTION VI.

Local Law #2 of 1978 is hereby repealed.

SECTION VII.

This local law shall become effective upon filing with the Secretary of State.

(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. _____ 5 _____ of 19⁹⁵ of the (County)(City)(Town)(Village) of _____ Clinton _____ was duly passed by the County Legislature _____ on Dec. 13, 1995, 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. _____ of 19 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 _____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19 _____, 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 19 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 _____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19 _____. 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 _____ 19 _____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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 19 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 _____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 _____, 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.

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 section (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 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-----1-----, above.

William J. Binzel

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

(Seal)

Date: 12/14/95

(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 Clinton

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.

[Signature]

Signature

County Attorney

Title

County
~~City~~ of Clinton
~~Town~~
~~Village~~

Date: 12/14/95