

# 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  City  Town  Village  
(Select one.)

of SANTA CLARA

Local Law No. 2 of the year 2018

A local law ABOLISHING THE ELECTED OFFICE OF HIGHWAY SUPERINTENDENT AND  
(Insert Title)  
CREATING THE APPOINTED POSITION OF HIGHWAY SUPERINTENDENT OF THE  
TOWN OF SANTA CLARA

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of SANTA CLARA as follows:

Section 1. Intent, Authority - The purpose of this Local Law is to provide that the office of Town Highway Superintendent will be appointed rather than elected. It is adopted pursuant to New York State Municipal Home Rule Law §10.

Section 2. The elective office of Town Highway Superintendent is hereby abolished effective at the end of the day December 31, 2018, notwithstanding that the current elective term of the incumbent may be thereby abridged.

Section 3. The appointive office of Town Highway Superintendent is hereby created effective as of January 1, 2019. The appointed Highway Superintendent shall hold office until the first day of January following the first biennial Town election held in November of an odd-numbered year after the date of his or her appointment.

Section 4. Upon the effective date of the creation of the appointive office of Town Highway Superintendent, the Town Board shall appoint a Highway Superintendent who shall hold office until January 1, 2020. Thereafter, the Highway Superintendent shall hold office for a term of two (2) years.

Section 5. All Local Laws or Ordinances or parts of Local Laws or Ordinances in conflict with any part of this Local law are hereby repealed. In particular, this Local Law shall supersede Town Law §20 with respect to election of the Town Highway Superintendent.

Section 6. The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

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

TOWN OF SANTA CLARA, LOCAL LAW 2 of 2018  
(continuation from prior page)

**Section 7.** This Local Law is subject to mandatory referendum in accordance with the provisions of Municipal Home Rule Law §23 and, if approved by a majority of the electors voting thereon, shall take effect immediately upon filing by 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. \_\_\_\_\_ 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. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20\_\_\_\_, 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. 2 of 2018 of the ~~(County)(City)(Town)(Village)~~ of SANTA CLARA was duly passed by the TOWN BOARD on AUGUST 9, 2018, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the TOWN SUPERVISOR on August 9 2018. *(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 November 6, 2018, 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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)* 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.

\* 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 20\_\_\_\_ 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 \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, 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 ,<sup>1</sup>\_\_\_\_\_ above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: \_\_\_\_\_

(Seal)