

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
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 Sackets Harbor
☐ Town
☒ Village

Local Law No. 1 of the year 20 08

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
JUL 18 2008

MISCELLANEOUS
& STATE RECORDS

A local law amending Local Law No.2 of 1987 to allow Alternate Members of the Village Planning Board to act as full members in the event a member is not present for any reason, or has recused himself or herself from participation or voting.

Be it enacted by the Village Board of Trustees of the
(Name of Legislative Body)

- ☐ County
☐ City of Sackets Harbor
☐ Town
☒ Village

as follows:

Section 1 Local Law No. 2 of the Year 1987, as amended, is amended, in part, to read as follows:
Article IX, Sub Section 3 (A) is replaced in its entirety as follows

A. Creation, Appointment, and Organization:

1. The Mayor shall appoint seven (7) members, and may appoint two (2) alternate members, who shall be Village residents, to the Village Planning Board. At least one (1) member shall maintain legal residence or own property within the Historic Preservation Overlay District.
2. The Mayor shall make every reasonable effort to appoint persons with an interest in the history and architecture of the Village. Particular consideration shall be given to the appointment of person specially qualified through training or experience in history, architecture, building construction, real estate, law, art and the like.
3. Any vacancy occurring in a position for any reason other than expiration of the term for which they were appointed shall be filled in accordance with Section 7-718 of the Village Law.
4. Alternate members of the Village Planning Board shall have a seven year term of office, with the term expiring on December 31. The initial term of the first alternate member shall expire on December 31 of the sixth calendar year following appointment of the first alternate member. The alternate members shall act as full members of the Village Planning Board at any meeting, or portion thereof, in which a member of the Village Planning Board is not present for any reason or has recused himself or herself or by a lawful authority from participation or voting on any matter. Pursuant to Sections 10 and 22 of the Municipal Home Rule Law, this Local Law supersedes any inconsistent provisions of Local Law No.2 of the Year 1987 as amended, and Subsection 718 (16) of the Village Law as to under what circumstances an alternate member of the Village Planning Board may act and serve as a full member of the Village Planning Board.

Section 2 The provisions of this Local Law shall take effect upon filing with the Secretary of State and Village Clerk as provided by Village Law.

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

(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. 1 of 20 08 of the (County)(City)(Town)(Village) of Sackets Harbor was duly passed by the Board of Trustees on July 8 20 08, in accordance with the applicable provisions of law.

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. _____ 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 _____ (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) (Name of Legislative Body) (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.

* 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 1 _____, above.

G. Meed Harris
Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: *7/16/08*

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK *Jefferson*
COUNTY OF _____

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.

David M. Allen
Signature

Title

Attorney NYS # 2234011

County

City of

Town

Village

Sackett Harbor

Date: *July 16, 2008*