

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County
City of
Town
Village
Local Law No. of the year 19

A local law
(Insert title)

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

County
City of as follows:
Town
Village

Introduced by Legislator Gary Buckingham, Chairman of
the Taxation Committee.

A LOCAL LAW PROVIDING FOR THE CREATION OF A REAL PROPERTY TAX
SERVICE AGENCY AND THE OFFICE OF DIRECTOR OF REAL PROPERTY TAX
SERVICE I.

BE IT ENACTED by the Board of Legislators of the County
of Lewis as follows:

Legislative Intent. The County of Lewis being a municipal
corporation existing under the laws of the State of New York
takes cognizance of the following facts: That §1530 of the Real
Property Tax Law directs that it shall establish a real property
tax service agency within the county with a director of real
property tax services being appointed thereto; that said §1530
of the Real Property Tax Law mandates that such office of director
of real property tax services be in the classified service without
specifying the specific subdivision of the classified services
said position be assigned to; that §10, subd. 1.(i) of the Muni-
cipal Home Rule Law gives the County of Lewis the power to "****
adopt and amend local laws not inconsistent with the provisions
of the constitution or not inconsistent with any general law
relating to its property, affairs or government * *"; that
§10, subd. 1.b.(2) gives the County of Lewis the power to esta-
blish "* * * a county tax department headed by a director appointed
by and serving at the pleasure of the board of supervisors * * *";
that the clear mandate of §10, subd. 1.b.(2) of the Municipal
Home Rule Law is that the director of a county tax department or
agency shall not be in the competitive class of Civil Service
but may be assigned by the legislative body to the non-competitive
class; that §1530 of the Real Property Tax Law is not a general
law because it does not apply to counties that assess real pro-
perty for purposes of taxation or to a county wholly within a
city, with a further exception being made with reference to the
appointment of the director as more particularly set forth in
said section; that judicial employees throughout the state, pur-
suant to §212 of the Judiciary Law and other applicable laws,
rules and regulations, presently are not governed under Civil
Service Law, as are most other employees of the State of New

York and municipal corporations existing thereunder, and hence any Civil Service laws with reference to the within appointment cannot be considered general laws because of the aforesaid exception, together with any other exceptions as same may presently exist; that it does not appear that the within local law conflicts or is inconsistent with the provisions of the constitution or any ~~xxxx~~ ^{general} law relating to its property, affairs or local government.

Section 1. That there hereby is created and established in the County of Lewis an agency to be known as the Lewis County Real Property Tax Service Agency.

Section 2. That there be and hereby is created the position of Director of Real Property Tax Service I, which office be and the same hereby is assigned to the Lewis County Real Property Tax Service Agency.

Section 3. That the position of Director of Real Property Tax Service I shall be in the classified service (non-competitive).

Section 4. That the Director of Real Property Tax Service I shall have a six year term of office commencing October 1st, 1971 and on October 1st of each sixth year thereafter.

Section 5. That the salary for such position of Director be and the same hereby is fixed at Grade 29 of the Compensation Plan with a minimum salary of \$7,470.00 and a maximum salary of \$9,010.00, which salary shall be paid bi-weekly

Section 6. That the power to change the compensation and classification as authorized by law is reserved to the Board of Legislators.

Section 7. That the within local law shall take effect immediately.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No. of 19...
County
of the City of was duly passed by
Town (Name of Legislative Body)
Village
on 19... in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. of 19...
County
of the City of was duly passed by
Town (Name of Legislative Body)
Village
on 19... and was approved by the
repassed after disapproval Elective Chief Executive Officer
and was deemed duly adopted on 19... , in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. of 19...
County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village
on 19... and was approved by the
repassed after disapproval Elective Chief Executive Officer
on 19... Such local law was submitted to the people by reason of a
mandatory referendum and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19... , in accordance with the appli-
annual
cable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. of 19...
County
of the City of was duly passed by the On
Town (Name of Legislative Body)
Village
..... 19... and was approved by the On
repassed after disapproval Elective Chief Executive Officer
..... 19... . Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19... , 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 chairman of the board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

(City local law concerning Charter revision proposed by petition.)

5. 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 § 36 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 the 19 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 above.

Marathy E. Kotel
Clerk of the Board of Supervisors, City, Town or Village Clerk, Office designated by Local Legislative Body

Date: ~~October 24, 1971~~

(Seal)

(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 ~~Hamilton~~

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]
(Title of Officer)
County
City of Lewis
Town
Village

Dated: ~~October 24, 1971~~