

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
~~CHXX~~ of Lewis
~~Town~~
~~Village~~
Local Law No. 3 of the year 1989

A local law PROVIDING FOR THE CREATION OF THE SOLID WASTE/RECYCLING DEPARTMENT.
(Insert title)

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

County
~~CHXX~~ of Lewis as follows:
~~Town~~
~~Village~~

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: §35, subd. e. of the Civil Service Law mandates that "the head or heads of any department of the government who are vested with authority, direction and control over a department, and who have power and authority to appoint and remove officers and employees therein;", fall under the unclassified service. Solid waste and recycling within this County is now very important and an emergency situation. It is vital that our County address this situation in a proper and appropriate manner for the health, wellbeing and welfare of our citizens. That §10, subd. 1.(i) of the Municipal Home Rule Law gives the County 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". In order to carry out its duties this Board of Legislators, by this local law, establishes a Solid Waste/Recycling Department and creates the position of Co-ordinator of Solid Waste/Recycling with the Coordinator being assigned to the unclassified service. This Board of Legislators hereby reserves the right to change the aforesaid title.

Section 1. That there is hereby created and established in the County of Lewis a department to be known as the Lewis County Solid Waste/Recycling Department.

(If additional space is needed, please attach sheets of the same size as this and number each)

Section 2. That there be and hereby is created the position of Coordinator of Solid Waste/Recycling, which position be, and the same hereby is, assigned to the Solid Waste/Recycling Department.

Section 3. That the position of Coordinator shall be in the unclassified service under §35, subd. (e) of the Civil Service Law.

Section 4. That this Board of Legislators has the right to, by resolution, change or alter the title herein set forth as Coordinator of Solid Waste/Recycling .

Section 5. That the Coordinator shall serve at the pleasure of the Board of Legislators.

Section 6. That the salary for the position of Coordinator be and the same hereby is to be fixed and established on an ongoing basis by this Board of Legislators and as provided by law.

Section 7. That the Coordinator be and he hereby is authorized and vested with the authority, direction and control of the Solid Waste/Recycling Department, giving and granting to said Coordinator power and authority to appoint and remove all officers and employees therein, all as provided by law.

Section 8. That the appointment of the Coordinator of Solid Waste/Recycling be and the same hereby is vested in the Lewis County Board of Legislators hereby confirming the appointment of Gary F. Buckingham as Coordinator as made by this Board by resolution creating a Solid Waste/Recycling Department adopted on February 7th, 1989.

Section 9. That resolution adopted by this Board on February 7th, 1989 entitled RESOLUTION CREATING A SOLID WASTE/RECYCLING DEPARTMENT be and the same hereby is confirmed.

Section 10. That the within local law shall take effect February 7th, 1989.

(1A)

(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.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3..... of 19 89....
County
City
of the ~~Town~~ of Lewis..... was duly passed by the Board of Legislators
~~Village~~ (Name of Legislative Body)
on March 7th 19 89..... in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City
of the Town of was duly passed by the
Village (Name of Legislative Body)
on 19 not disapproved
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.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City
of the Town of was duly passed by the
Village (Name of Legislative Body)
on 19 not disapproved
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
thereon at the ~~special~~ general election held on 19, in accordance with the applicable
annual provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City
of the Town of was duly passed by the
Village (Name of Legislative Body)
on 19 not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer*
on 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 county legislative body, 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.

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 §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 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 of 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 above.

Mary E. Jerrillon
Clerk of the County legislative body, City of New York

Date: March 8, 1989

(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 Lewis

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.

Kenneth B. Wolfe
Signature
County Attorney
Title

Date: March 8, 1989

County
of Lewis