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**(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 OF LEWIS**

**Local Law No. 6 of the Year 2008**

**A LOCAL LAW PROVIDING FOR AN INCREASE IN  
SALARY FOR THE LEWIS COUNTY SHERIFF  
AND AMENDING LOCAL LAW No. 3 – 2007**

SECTION 1. - TITLE:

This local law shall be entitled “A LOCAL LAW PROVIDING FOR AN INCREASE IN SALARY FOR THE LEWIS COUNTY SHERIFF AND AMENDING LOCAL LAW No. 3 – 2007.”

SECTION 2. - PURPOSE:

The purpose of this Local Law is to provide an increase in salary to the Lewis County Sheriff to compensate him for the additional duties assigned to him pertaining to the management and supervision of the Enhanced 911 Emergency Telephone System and personnel pursuant to Local Law No. 5 – 2008, entitled, “A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY SHERIFF THE DUTIES AND RESPONSIBILITIES FOR OVERSEEING THE E – 911 SYSTEM”.

SECTION 3. AUTHORITY:

This local law is enacted pursuant to the authority granted by County Law § 650(1) which provides in pertinent part:

“1. The sheriff shall perform the duties prescribed by law as an officer of the court and conservator of the peace within the county. *He shall perform such additional and related duties as may be prescribed by law and directed by the board of supervisors or the county legislature.*” (Emphasis added).

Additionally, Municipal Home Rule Law (“MHL”) § 10 provides that a county may adopt local laws that affect the following areas, provided the local law does not conflict with the constitution or other general law:

“(1) The powers, *duties*, qualifications, number, mode of selection and removal, terms of office, *compensation*, hours of work, protection, welfare and safety of its officers and

employees. . .” (Emphasis added). MHL § 10(1)(ii)(a)(1).

SECTION 4. LEGISLATIVE FINDINGS:

The Legislature makes the following legislative findings:

1. That by the adoption of Local Law No. 5 -- 2008, entitled, “A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY SHERIFF THE DUTIES AND RESPONSIBILITIES FOR OVERSEEING THE E – 911 SYSTEM,” the Lewis County Board of Legislators has assigned to the Lewis County Sheriff certain duties and responsibilities for the management and oversight of the E-911 System.
2. That it is appropriate to compensate the Lewis County Sheriff for the additional duties so assigned.

SECTION 5. AMENDMENT TO THE COMPENSATION PLAN:

A. The Compensation Plan of the County of Lewis for the Lewis County Sheriff is hereby amended as follows:

Effective upon the adoption of and so long as Local Law No. 5 – 2008, entitled, “A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY SHERIFF THE DUTIES AND RESPONSIBILITIES FOR OVERSEEING THE E – 911 SYSTEM” shall remain in effect, the annual salary for the Lewis County Sheriff shall be increased by \$10,000.

B. Section “2,” Paragraph “B” of Local Law No. 3 of the Year 2007, entitled “A LOCAL LAW PROVIDING FOR PERIODIC INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS,” is hereby amended by inserting the following sentence: “Except that as to the Lewis County Sheriff, the percentage increases referred to herein above, shall not apply for calendar year 2009.

SECTION 6. - EFFECTIVE DATE:

That the within Local Law shall take effect 45 days after the adoption and all legal requirements having been met.

(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. 6 of 2008, of the County of Lewis was duly passed by the Lewis County Board of Legislators on December 2, 2008, 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 disapproved, repassed after disapproval, by the \_\_\_\_\_, and was deemed duly adopted 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 disapproved, repassed after disapproval, by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_. 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 a 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 2004, of the County of Lewis was duly passed by the Lewis County Board of Legislators on \_\_\_\_\_, 2004. Such Local Law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, 2004, in accordance with the applicable provisions of law.~~

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\* 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 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 the 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 1, above.

*Teresa K. Clark*

Clerk of the Lewis County Board of Legislators Clerk  
or officer designated by local legislative body

TERESA K. CLARK, CLERK

Dated: December 9, 2008.

(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 ) ss:

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.

*Richard J. Graham*

Signature - RICHARD J. GRAHAM, ESQ.  
LEWIS COUNTY ATTORNEY

County of Lewis

Dated: December 8, 2008.