
(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. 4 of the Year 2009

**A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION
SYSTEM WITHIN LEWIS COUNTY**

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

SECTION 1. TITLE

This Local Law shall be known as “**A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY.**”

SECTION 2. STATUTORY AUTHORITY

This local law is enacted pursuant to Municipal Home Rule Law (“MHL”) § 10(1)(i), and more particularly pursuant to General Municipal Law § 119-r, which states that to assure the provision of mass transportation services to the public at adequate levels and at reasonable cost a county may adopt a local law to authorize the establishment of a mass transportation system, including entering into contracts for the provision of transportation services.

SECTION 3. LEGISLATIVE FINDINGS

The Board of Legislators makes the following findings in support of this Local Law:

- A. The Economic Development and Planning Department, prepared a comprehensive study of the transportation being provided by Lewis County to its various constituencies and presented its final report to the Board of Legislators on January 29, 2009, entitled, “Lewis County Human Services Transportation Plan” (herein “Transportation Plan”).
- B. The Transportation Plan reviewed existing County transportation services, the costs to the County, existing redundancies, identified several County goals that are presently not being met, and established priorities for implementation. The Transportation Plan also made several recommendations that would enhance the County’s ability to coordinate services, reduce costs, and extend existing services to include the general public.

- C. After reviewing the Transportation Plan, the Board of Legislators approved and adopted the Transportation Plan on March 3, 2009.
- D. The Board of Legislators finds that it is in the public interest to extend and expand existing public transportation services within Lewis County in an effort to:
 - 1. Enhance the self-sufficiency and independence of all residents of the County;
 - 2. Reduce the per-trip cost to clients and customers, including the cost of providing non-emergency medical transportation;
 - 3. Increase the efficiency and productivity of transportation services in Lewis County;
 - 4. Increase the overall mobility of residents within the County, including without limitation those of low-moderate income, senior citizens, children, and disabled citizens;
 - 5. Provide increased access to employment opportunities as well as commercial, social and health services located within and without the County;
 - 6. Encourage the mobility of county residents for the purposes of higher education and career development.

SECTION 4. DEFINITIONS

When used in this Local Law, the following words shall have the following meaning:

“Mass transportation facility” shall include all property (both real and personal), improvements, equipment, motor vehicles (including vans and buses) and personnel necessary to own, operate and maintain a public transportation system, including any capital equipment used in connection therewith.

SECTION 5. LEGISLATIVE POWERS WITH REPECT TO MASS TRANSPORTATION

- A. To assure the provision of mass transportation services to the public within Lewis County (including transportation to and from locations outside Lewis County) at adequate levels and at reasonable cost, the Board of Legislators is hereby authorized to:
 - 1. To acquire, construct, reconstruct, improve, equip, maintain or operate of one or more mass transportation facilities;
 - 2. To enter into a contract or contracts for the acquisition by purchase of all or any part of the property, plant and equipment of an existing mass transportation facility;

3. To enter into a contract or contracts with any person, firm or corporation, including a public authority, for the equipment, maintenance or operation of a mass transportation facility owned, acquired, constructed, reconstructed or improved by it;
4. To enter into a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately-owned or operated mass transportation facility. Such power shall include but not be limited to the power to appropriate funds for payment of such consideration, and to provide that all or part of such consideration shall be in the form of capital equipment to be furnished to and used and maintained by such privately-owned or operated mass transportation facility.

B. The oversight and management of such mass transportation facility and/or public transportation system shall be delegated to the County Manager, who shall be empowered to further delegate certain management and administrative functions to such County Departments or personnel as deemed necessary and appropriate.

SECTION 6. EFFECTIVE DATE:

This Local Law shall take effect immediately upon filing with 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. 4 of 2009, of the County of Lewis was duly passed by the Lewis County Board of Legislators on June 17, 2009, 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.~~

* 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.

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.~~

5. ~~(City Local Law Concerning Charter Revision Proposed by Petition.)~~

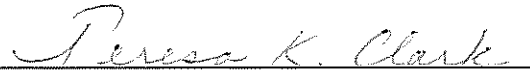
~~I hereby certify that the Local Law annexed hereto, designated as Local Law No. _____ of 20__, of the City of _____ having been submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.



Clerk of the Lewis County Board of Legislators Clerk or
officer designated by local legislative body
TERESA K. CLARK, CLERK

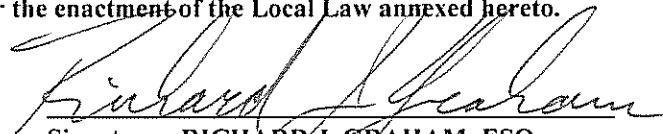
Dated: June __, 2009.

(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.



Signature - RICHARD J. GRAHAM, ESQ.
LEWIS COUNTY ATTORNEY
County of Lewis

Dated: June 18, 2009.