

*Local Law Filing*

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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. 5 of the Year 2012**

**A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF THE YEAR 2003 IN RELATION  
TO THE IMPLEMENTATION OF REAPPORTIONMENT  
WITHIN THE COUNTY OF LEWIS**

**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 TO AMEND LOCAL LAW NO. 3 OF THE YEAR 2003 IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS**”

**Section 2. LEGISLATIVE FINDINGS AND PURPOSE**

- A. The Board of Legislators finds that pursuant to Section 206 of Local Law No. 3 – 2003, the Board of Legislators appointed a commission to evaluate the existing county legislative districts for equity and representation in relation to population within six (6) months after the publication of the results of the regular federal census taken in Lewis County in 2010 (the “Commission”).
- B. Upon a review of the 2010 Census conducted by the United States Census Bureau, and comparing the same to the 2000 Census the Commission recommended that due to population changes occurring within the County of Lewis that the Legislative Districts be amended.

- C. The purpose of this Local Law is to amend Local Law No. 3 – 2003 in order to reapportion the County Legislature of the County of Lewis in conformity with the “one person, one vote” concept as interpreted by State and Federal Court Decisions so that Lewis County will be in compliance with the United States Constitution and the New York State Constitution.

**Section 3. AMENDMENT TO ARTICLE I, SECTION 205 OF LOCAL LAW NO. 3 – 2003.**

Article I, Section 205 of Local Law No. 3 – 2003, entitled “Districts” is hereby amended by deleting the contents thereof and substituting the following language:

**Section 205 Districts.**

A. “For the purpose of electing county legislatures, Lewis County shall be divided into ten (10) districts. One county legislator shall be elected to the county legislature of Lewis County for each of said districts.

“The ten (10) districts within the County of Lewis are as follows:

**LEGISLATIVE DISTRICTS - COUNTY OF LEWIS**

<b><u>DISTRICT</u></b>	<b><u>ESTIMATED POPULATION</u></b>
DISTRICT #1 - Diana - Croghan - Croghan	2,674
DISTRICT #2 - Croghan - Croghan - Croghan	2,804
DISTRICT #3 - Denmark - Lowville	2,807
DISTRICT #4 - New Bremen	2,706
DISTRICT #5 - Lowville	2,878
DISTRICT #6 - Watson - Lowville	2,741

DISTRICT #7	- Martinsburg - Turin - Lowville	2,807
DISTRICT #8	- West Turin - Osceola - Pinckney - Montague - Harrisburg	2,605
DISTRICT #9	- Greig - Lyonsdale	2,426
DISTRICT #10	- Leyden - Lewis	2,639

B. The boundaries of said Districts are more particularly described in Schedule "A" annexed hereto.

**Section 4. Existing Laws Continued.**

Except as otherwise provided in this Local Law, all existing state, county, local and other laws or enactments, including special acts having the force of law, shall continue in force until lawfully amended, modified, superseded, or repealed. In particular, all terms and provisions contained in Local Law No. 3 – 2003, except as specifically amended here in, shall remain in full force and effect.

**Section 5. Effective Date.**

This Local Law is subject to a permissive referendum pursuant to Municipal Home Rule Law Section 10 (1) (a) (13) and therefore shall not take effect until forty – five (45) days after its adoption.

In the event that within forty-five days after its adoption there be filed with the Clerk of the Board a petition protesting against the within Local Law, signed and authenticated as required by Municipal Home Rule Law Section 24(1)[a] by qualified electors of such local government, registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for governor at the last gubernatorial election in such local government, then this Local Law shall not be effective until approved by the affirmative vote of a majority of the qualified electors of the local government voting on a proposition for its approval.

(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. \_\_\_ of 2012, of the County of Lewis was duly passed by the Lewis County Board of Legislators on \_\_\_\_\_, 2012, 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. 5 of 2012, of the County of Lewis was duly passed by the Lewis County Board of Legislators on November 15, 2012, and was approved. Such Local Law was subject to permissive referendum and no valid petition requesting such referendum was filed as of January 1, 2013, 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.)**

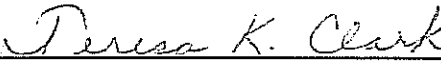
I hereby certify that the Local Law annexed hereto, designated as Local Law No. \_\_\_\_\_ of 20\_\_, of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of 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**  
**LEWIS COUNTY BOARD OF LEGISLATORS**  
**Dated: January 31, 2013.**

(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, ESQ.**  
**LEWIS COUNTY ATTORNEY**  
**Dated: January 31, 2013.**

**Schedule A**

***Reapportionment Proposal A-1***

***District No.1***

The municipal boundaries of the Town of Diana, and a part of the Town of Croghan being bounded and described as follows:

Beginning at the most northeasterly point of the Town of Croghan, where the northerly municipal boundary of the Town of Croghan intersects the eastern municipal boundary of the Town of Croghan, running thence southerly and southwesterly along the eastern municipal boundary of the Town of Croghan to a point where the eastern municipal boundary of the Town of Croghan intersects the centerline of the Beaver River. Thence in a general westerly direction following the centerline of the Beaver River to a point where the centerline of the Beaver River intersects the centerline of Balsam Creek, thence in a general northerly direction following the centerline of Balsam Creek to a point where the centerline of Balsam Creek intersects the centerline of the Old State Road. Thence in a general westerly and northwesterly direction along the centerline of Old State Road to a point where the centerline of Old State Road intersects the centerline of a small creek, thence southerly and westerly following the centerline of said small creek to a point where the centerline of said small creek intersects the centerline of the Black River, thence westerly and northerly following the centerline of the Black River to a point where the centerline of the Black River intersects the most westerly municipal boundary of the Town of Croghan, thence in an easterly and northerly direction along the western municipal boundary of the Town of Croghan to a point where the western municipal boundary of the Town of Croghan intersects the northerly municipal boundary of the Town of Croghan, thence easterly along the northern municipal boundary of the Town of Croghan to the point and place of beginning.

**Schedule A**

***Reapportionment Proposal A-1***

***District No.2***

Part of the Town of Croghan and part of the Town of Denmark being bounded and described as follows:

Beginning at a point where the centerline of the Beaver River intersects the easterly municipal boundary of the Town of Croghan, running thence southwesterly along the municipal boundary of the Town of Croghan to a point marking the intersection of the southerly municipal boundary of the Town of Croghan and the easterly municipal boundary of the Town of Croghan, thence westerly along the southerly municipal boundary of the Town of Croghan to a point of intersection marking the southerly municipal boundary of the Town of Croghan with the centerline of the Beaver River, thence in a general westerly direction following the centerline of the Beaver River to a point marking the intersection of centerlines of the Beaver River and the Black River, thence in a general southeasterly direction following the centerline of the Black River to a point marking the intersection of the centerline of the Black River and the southeastern municipal boundary corner of the Town of Denmark, thence westerly along the southerly municipal boundary of the Town of Denmark to a point marking the intersection of the municipal boundary of the Town of Denmark and the centerline of the East Road, thence northwesterly along the centerline of the East Road to a point marking the intersection of centerlines of the East Road and New York State Route No. 26, thence northerly along the centerline of New York State Route No. 26 to a point marking the intersection of centerlines of New York State Route No. 26 and Station Road, thence easterly along the centerline of Station Road to a point marking the intersection of the centerline of Station Road and the centerline of the former Lowville-Beaver River Railroad, thence northwesterly along the centerline of the former Lowville-Beaver River Railroad to a point in the northerly municipal boundary of the Town of Denmark, thence northeasterly along the northern municipal boundary of the Town of Denmark to a point in the centerline of the Black River, thence in a general southerly direction following the

centerline of the Black River to a point, marking the centerline of the Black River and the centerline of a small stream, thence easterly and northeasterly along the centerline of said small stream to a point in the centerline of the Old State Road, thence easterly along the centerline of Old State Road to a point in the centerline of Balsam Creek, thence southerly following the centerline of Balsam Creek to a point, marking the intersection of the centerline of Balsam Creek and the centerline of the Beaver River, thence in a easterly direction following the centerline of the Beaver River to the point and place of beginning.



**Schedule A**

***Reapportionment Proposal A-1***

***District No.3***

The municipal boundaries of part of the Town of Denmark, and a part of the Town of Lowville being bounded and described as follows:

Beginning at a point marking the most westerly corner in the municipal boundary of the Town of Denmark running thence northeasterly along the municipal boundary of the Town of Denmark to a point in the centerline of the former Lowville-Beaver River Railroad, thence southerly and southeasterly along the centerline of the former Lowville-Beaver River Railroad to a point in the centerline of Station Road, thence westerly along the centerline of Station Road to a point marking the intersection of centerlines of Station Road and New York State Route No. 26, thence southerly along the centerline of New York State Route No. 26 to a point, marking the intersection of centerlines of New York State Route No. 26 and East Road, thence southeasterly along the centerline of East Road to a point in the southerly municipal boundary of the Town of Denmark, thence easterly along the southerly municipal boundary of the Town of Denmark to a point in the centerline of the Black River marking the northeasterly corner of the municipal boundary of the Town of Lowville, thence southerly and southeasterly following the centerline of the Black River and the easterly municipal boundary of the Town of Lowville to a point, marking the intersection of centerlines of the Black River and New York State Route No. 812, thence southwesterly and southerly along the centerline of New York State Route No. 812 to a point in the northerly municipal boundary of the Village of Lowville, thence westerly along said northerly municipal boundary of the Village of Lowville to a point in the centerline of Number Three Road, thence northwesterly along the centerline of Number Three Road to a point in a westerly municipal boundary of the Town of Lowville, thence northerly along said westerly municipal boundary of the Town of Lowville to a point in the southerly municipal boundary of the Town of Denmark, thence westerly along the southerly municipal boundary of the Town of Denmark to the point and place of beginning.

**Schedule A**

***Reapportionment Proposal A-1***

***District No.4***

The municipal boundaries of the Town of New Bremen being bounded and described as follows:

Beginning at a point marking the most northeasterly corner of the municipal boundary of the Town of New Bremen, at the southeast corner of the municipal boundary of the Town of Croghan and in the northerly municipal boundary of the Town of Watson; running thence southwesterly along the municipal boundary of the Town of New Bremen to a point marking the southeasterly corner of the municipal boundary of the Town of New Bremen and an angle point in the northerly municipal boundary of the Town of Watson, thence westerly along the southerly municipal boundary of the Town of New Bremen to a point in the centerline of the Black River marking the southwesterly corner of the municipal boundary of the Town of New Bremen, thence northerly following the centerline of the Black River to a point marking the intersection of centerlines of the Black River and the Beaver River, said point being the northwesterly corner of the municipal boundary of the Town of New Bremen, thence easterly following the centerline of the Beaver River to a point in the northerly municipal boundary of the Town of New Bremen, thence easterly along the northerly municipal boundary of the Town of New Bremen to the point and place of beginning.

**Schedule A**

***Reapportionment Proposal A-1***

***District No.5***

Being a part of the municipal boundaries of the Village of Lowville and being bounded and described as follows:

Beginning at a point marking the intersection of the northerly municipal boundary of the Village of Lowville and the centerline of Number Three Road, running thence easterly along the northerly municipal boundary of the Village of Lowville to an angle point therein, thence continuing along the northerly municipal boundary of the Village of Lowville to a point marking the northeasterly corner of the municipal boundary of the Village of Lowville, thence southerly along the easterly municipal boundary of the Village of Lowville to a point in the centerline of Mill Creek, thence easterly along the centerline of Mill Creek to a point, thence northerly, easterly, southerly, westerly and southerly along the municipal boundary of the Village of Lowville to a point in the centerline of River Street, (a\k\ a Number Four Road), thence westerly along the centerline of River Street to a point, marking the intersection of the centerline of River Street and South State Street, (a\k\ a\ New York State Route No. 26), thence southerly along the centerline of South State Street, (a\k\ a\ New York State Route No. 26) to a point in the southerly municipal boundary of the Village of Lowville, thence westerly, northerly, southwesterly, easterly, southerly and westerly along the municipal boundary of the Village of Lowville to a point in the centerline of West Martinsburg Road, thence northeasterly along the centerline of West Martinsburg Road to a point in the westerly municipal boundary of the Village of Lowville, thence northwesterly along said municipal boundary of the Village of Lowville to an angle point and continuing northeasterly to a point in the centerline of Rice Road, thence easterly along the centerline of Rice Road to a point in the northerly municipal boundary of the Village of Lowville, thence northeasterly along said village boundary to the point and place of beginning.

**Schedule A**

***Reapportionment Proposal A-1***

***District No.6***

Being the municipal boundaries of the Town of Watson and a part of the municipal boundaries of the Town of Lowville, being bounded and described as follows:

Beginning at a point marking the most northerly corner of the municipal boundary of the Town of Watson, running thence southerly along the easterly boundary of the Town of Watson, to a point marking a southeasterly corner of the Town of Watson, said easterly boundary also being the easterly boundary of the County of Lewis, thence westerly, southerly and westerly along the southerly municipal boundary of the Town of Watson to a point in the centerline of the Black River, thence northerly and northwesterly along the centerline of the Black River to a point in the most easterly corner of the municipal boundary of the Town of Lowville, thence westerly along the southerly municipal boundary of the Town of Lowville to a point in the centerline of Hitchcock Creek, thence northeasterly along the centerline of Hitchcock Creek to a point in the municipal boundary of the Village of Lowville, thence easterly, northerly, westerly, northeasterly, southeasterly and easterly along the municipal boundaries of the Village of Lowville to a point in the centerline of South State Street, (a\k\ a New York State Route No.26), thence northwesterly along the centerline of South State Street,(a\k\ a New York State Route No. 26) to a point marking the intersection of centerlines of South State Street, (a\k\ a New York State Route No. 26) and River Street, thence easterly along the centerline of River Street to a point in the municipal boundary of the Village of Lowville, thence northerly, easterly, northerly and westerly along the municipal boundaries of the Village of Lowville to a point in the centerline of Mill Creek, thence westerly along the centerline of Mill Creek to a point in the easterly boundary of the Village of Lowville, thence northerly along the easterly municipal boundary of the Village of Lowville to an angle point therein, thence continuing westerly along said municipal boundary to a point in the centerline of New York State Route No. 812, thence in a general northeasterly direction along the centerline of New York State Route No. 812 to a point in the

centerline of the Black River, thence southwesterly along the centerline of the Black River to a point marking the most northwesterly corner of the municipal boundary of the Town of Watson, thence easterly along a northerly line of the municipal boundary of the Town of Watson to an angle point therein, thence continuing northeasterly along said municipal boundary of the Town of Watson to the point and place of beginning.

**Schedule A**

***Reapportionment Proposal A-1***

***District No.7***

Being the municipal boundaries of the Town of Turin, Town of Martinsburg and part of the Town of Lowville, being bounded and described as follows: Beginning at a point in the centerline of Number Three Road at the westerly municipal boundary of the Town of Lowville, running thence southeasterly along the centerline of the Number Three Road to a point in the northerly municipal boundary of the Village of Lowville, thence southwesterly along said municipal boundary of the Village of Lowville to a point in the centerline of Rice Road, thence southwesterly along the centerline of Rice Road to a point in the municipal boundary of the Village of Lowville, thence westerly, southerly, westerly and southeasterly along said municipal boundary of the Village of Lowville to a point in the centerline of West Martinsburg Road, thence southwesterly along the centerline of West Martinsburg Road to a point in the westerly municipal boundary of the Village of Lowville, thence southeasterly along the municipal boundary of the Village of Lowville to a point in the centerline of Hitchcock Creek, thence southwesterly along the centerline of Hitchcock Creek to a point in the northerly municipal boundary of the Town of Martinsburg, thence easterly along the municipal boundary of the Town of Martinsburg to a point in the centerline of the Black River, thence in a general southerly direction along the centerline of the Black River as it winds and turns, to a point marking the southeasterly corner of the municipal boundary of the Town of Turin, thence in a general westerly direction along the southerly municipal boundary of the Town of Turin to the most westerly corner of the municipal boundary of the Town of Turin, thence northeasterly along said municipal boundary of the Town of Turin to a point marking the most southerly corner of the municipal boundary of the Town of Martinsburg, thence northerly and westerly along the southern municipal boundary of the Town of Martinsburg to a point in the easterly municipal boundary of the Town of Montague marking the southwesterly corner of the Town of Martinsburg, thence northerly along the westerly municipal boundary of the Town of Martinsburg to a point in the southerly

municipal boundary of the Town of Harrisburg marking the northwesterly corner of the Town of Martinsburg, thence easterly along the northerly municipal boundary of the Town of Martinsburg to a point marking the southwesterly municipal corner of the Town of Lowville, thence northerly along the westerly municipal boundary of the Town of Lowville to the point and place of beginning.

**Schedule A**

***Reapportionment Proposal A-1***

***District No.8***

Lewis County Legislative District No. 8 is described as follows:

Being all of the land or property located within the municipal boundaries of the Towns of Harrisburg, Montague, Osceola, Pinckney, and West Turin.



**Schedule A**

***Reapportionment Proposal A-1***

***District No.9***

Lewis County Legislative District No. 9 is described as follows:

Being all of the land or property located within the municipal boundaries of the  
Towns of Greig and Lyonsdale.

**Schedule A**

***Reapportionment Proposal A-1***

***District No. 10***

Lewis County Legislative District No. 10 is described as follows:

Being all of the land or property located within the municipal boundaries of the  
Towns of Lewis and Leyden.