

Local Law Filing

(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. 10 of the Year 2013

A LOCAL LAW ESTABLISHING THE RECREATION, FORESTRY AND PARKS DEPARTMENT

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

SECTION 1. TITLE:

This local law shall be entitled "A LOCAL LAW ESTABLISHING THE RECREATION FORESTRY AND PARKS DEPARTMENT".

SECTION 2. LEGISLATIVE FINDINGS:

For many years Lewis County (the "County") has maintained a Reforestation Department which was responsible for managing the County's reforestation lands. In 2006, the County created the position of Trails Coordinator and established an outdoor recreational trails program for the County. Since many of the off-road trails under the Trails Coordinator's supervision were located on County reforestation lands, personnel from Reforestation and Trails Departments frequently collaborated in the development and implementation of land use policy, environmental management and conservation practices for the County's reforestation properties.

The Board of Legislators finds that it is in the public interest to consolidate the Trails Department and the Reforestation Department into a single department to be known as the "Recreation, Forestry and Parks Department". The Board further finds that in doing so, the County will improve the development and implementation of land use policy, environmental management and conservation practices for County properties which will enhance the County's ability to manage its reforestation and related properties. In addition, consolidating these two departments will improve personnel management and supervision and potentially reduce costs in the use and acquisition of equipment, machinery and supplies.

SECTION 3. AUTHORITY:

This Local Law is enacted pursuant to the home rule authority granted by Municipal Home Rule Law § 10. In particular, County Law § 204 provides that the Board of Legislators shall have

power to establish positions of employment and to abolish the same, by local law, by resolution or by the adoption of the budget.

SECTION 4. ESTABLISHING THE RECREATION, FORESTRY AND PARKS DEPARTMENT

- A. The Recreation, Forestry and Parks Department for Lewis County is hereby established and shall be under the leadership of the Director of Recreation, Forestry and Parks.

- B. The Recreation, Forestry and Parks Department shall be responsible for:
 - 1. The management of all properties owned by Lewis County and utilized as reforestation lands under County Law § 219;
 - 2. Establishing and administering policies, rules and regulations for the use of reforestation properties consistent with local, state and federal environmental laws, rules and regulations;
 - 3. Managing the County's reforestation lands with a goal of assuring the long term conservation of the forests and related natural assets located on County properties as well as the economic viability of same;
 - 4. Establishing and administering policies, rules and regulations for the management of the Lewis County ATV Trail System;
 - 5. Establishing and administering policies and promotional programs that will promote and enhance outdoor recreational activities in Lewis County including without limitation ATV and snowmobile use, horseback riding, biking, hiking, canoeing, kayaking, running, kiting, kite-skiing, cross-country skiing.

- C. All employees formerly working in the Trails Department and Reforestation Department are hereby transferred and deemed to be employees of the Recreation, Forestry and Parks Department.

- D. The Board of Legislators may establish new positions or transfer existing positions, establish new or amend existing job titles, and take such other measures as may be deemed expedient and necessary to carry out the intent of this local law.

SECTION 5. ESTABLISHING THE OFFICE OF LEWIS COUNTY DIRECTOR OF RECREATION, FORESTRY AND PARKS.

- A. The Board of Legislators hereby establishes the position of Director of Recreation, Forestry and Parks (herein "Director"). The Director shall be an appointee of the Board of Legislators and shall be responsible for leading the Department. In that capacity the Director shall have the following duties and responsibilities:
 - 1. Establishing and enforcing policies for the use and management of County reforestation properties that demonstrates both sound financial stewardship as well as best practices with regard to the conservation, environmental sustainability and regeneration of the County's forests;

2. Establishing and enforcing policies for the planning, acquisition, development, use, management and maintenance of all trails incorporated into the Lewis County ATV Trail System, consistent with local, state and federal environmental laws, rules and regulations;
3. Overseeing the use, management and administration of all revenues and expenditures received or remitted in connection with the Lewis County ATV Trail System;
4. Overseeing the use, management and administration of all other revenues and expenditures received or remitted through the Department;
5. Maintaining an accurate inventory of all tools and equipment and overseeing their regular maintenance and upkeep;
6. Developing and administering relationships with ATV Clubs, Snowmobile Clubs and similar non-profit outdoor recreational organizations in a manner that will promote and enhance outdoor recreation in Lewis County;
7. Establishing and administering policies for the planning, development, use, management, maintenance and promotion of outdoor recreational activities in Lewis County;
8. To appoint, employ, discipline and discharge all subordinates and employees within the department.
9. Such other and further duties and responsibilities as may be prescribed by the Board of Legislators.

B. The salary and benefits of the Director of Recreation, Forestry and Parks Department shall be established by the Board of Legislators and may be amended at any time either by resolution or upon adoption of the annual budget.

SECTION 6. EFFECTIVE DATE

The 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. 10 of 2013, of the County of Lewis was duly passed by the Lewis County Board of Legislators on December 3, 2013, 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 approved, 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 approved, 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 20__, of the County of Lewis was duly passed by the Lewis County Board of Legislators on _____, 20__, and was approved, not approved, repassed after disapproval, by the _____ on _____, 20__. Such Local Law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20__, 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.

* 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.

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.



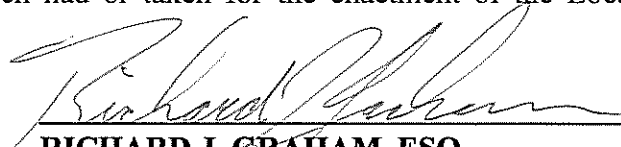
TERESA K. CLARK, CLERK
LEWIS COUNTY BOARD OF LEGISLATORS

Dated: December 18, 2013.

(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: December 18, 2013.