

## 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. 3 of the Year 2014

#### A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING THE DIRECTOR OF RECREATION, FORESTRY AND PARKS

**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 AMENDING LOCAL LAW NO. 2 – 2009 REGARDING THE DIRECTOR OF RECREATION, FORESTRY AND PARKS.”**

#### SECTION 2. STATUTORY AUTHORITY

This local law is enacted pursuant to Municipal Home Rule Law (“MHL”) § 10(1)(i) which provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law.

#### SECTION 3. LEGISLATIVE FINDINGS

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

1. That the Board of Legislators has heretofore adopted Local Law No. 2 – 2009 whereby the Board established the Lewis County Trail System (“Trail System”).
2. Local Law No. 2 -- 2009 was amended by Local Law No. 1 -- 2010 which amended the permit fee schedule to include a discount for purchasing multiple permits by a single ATV operator.
3. Local Law No. 2 -- 2009 was further amended by Local Law No. 6 -- 2013, which amended and restated the fee schedule for Trail Permits and repealed Local Law No. 1 -- 2010.
4. That throughout Local Law No. 2 – 2009 and each of the foregoing amendments, references are made to the “Trails Coordinator,” who at the time was the department head responsible for managing and administering the Lewis County ATV Trail

System, as well as to the "Conservation Foreman," who at the time was deemed the department head responsible for managing the County's reforestation lands.

5. That the Board of Legislators has heretofore adopted Local Law No. 10 -- 2013 whereby the Board consolidated the Trails Department and the Reforestation Department into a single department under the leadership of the Director of Recreation, Forestry and Parks.
4. That the Board of Legislators finds that it is necessary and appropriate to amend Local Law No. 2 -- 2009 to clarify that any and all references contained in Local Law No. 2 -- 2009, as well as each of its amendments, that refer to either the "Trails Coordinator" and/or the "Conservation Foreman" shall now collectively be deemed to refer to the Director of Recreation, Forestry and Parks.

#### **SECTION 4. AMENDED DESIGNATION**

Local Law No. 2 -- 2009, including any amendments thereto, is hereby amended to the effect that any and all references to the Trails Coordinator and/or the Conservation Foreman shall hereafter be deemed to refer to the Director of Recreation, Forestry and Parks and that all powers, duties and responsibilities that were heretofore delegated to the Trails Coordinator and/or the Conservation Foreman under Local Law No. 2 -- 2009, as amended, shall hereafter be deemed delegated to the Director of Recreation, Forestry and Parks.

#### **SECTION 5. EFFECTIVE DATE.**

This Local Law shall become effective 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. 3 of 2014, of the County of Lewis was duly passed by the Lewis County Board of Legislators on April 1, 2014, 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.~~

\* 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 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.)**

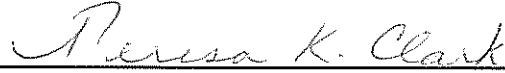
I hereby certify that the Local Law annexed hereto, designated as Local Law No. \_\_\_\_\_ of 20\_\_, of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special/general election held on \_\_\_\_\_, 20\_\_, became operative.

**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**

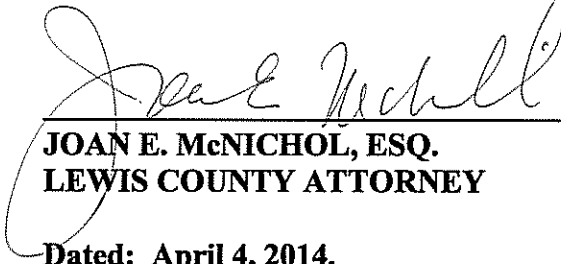
(Seal)

**Dated: April 4, 2014.**

**(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.



**JOAN E. McNICHOL, ESQ.**  
**LEWIS COUNTY ATTORNEY**

**Dated: April 4, 2014.**