

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
City of Orleans, New York
Town
Village

Local Law No. 3 of the year 2011.

A local law entitled Local Law Amending Section 3 C. of Local Law No. 2 of the Year 1982 To Reapportion Legislative Districts
(Insert Title)

Be it enacted by the Legislature of the
(Name of Legislative Body)

County
City of Orleans, New York as follows:
Town
Village

Local Law No. 3 of the Year 2011

SECTION 1. TITLE:

A Local Law Amending Section 3 C. of Local Law No. 2 of the Year 1982 to Reapportion Legislative Districts.

SECTION 2. AUTHORITY:

This Local Law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(13) which authorizes local governments to reapportion their legislative bodies in order to comply with the one person one vote standards enunciated by the United States Supreme Court.

SECTION 3. PURPOSE:

The purpose of this Local Law is to amend Section 3 C. of Local Law No. 2 of the Year 1982 by reapportioning the legislative districts established therein by removing that portion of the Village of Medina situate within the Town of Shelby lying west of the center line of West Avenue (currently referred to as Shelby Voting District 3) from County Legislative District 1 and adding that portion of the Village of Medina situate within the Town of Shelby lying west of the center line of West Avenue (currently referred to as Shelby Voting District 3) to County Legislative District 2.

SECTION 4. AMENDMENT OF SECTION 3 C.:

Section 3 C. of Local Law No. 2 of the Year 1982 is hereby amended by replacing the provisions of Section 3 C. with the following provisions which shall read as follows:

C. The remaining four (4) county legislators shall be elected from four (4) separate legislative districts as follows:

Legislative District 1 shall include that part of Orleans County being all of the Towns of Clarendon and Barre and that portion of the Town of Shelby bounded and described as follows: All of the Town of Shelby excluding therefrom the portion of the Village of Medina situate within the said Town of Shelby lying west of the center line of West Avenue.

Legislative District 2 shall include that part of Orleans County being all of the Towns of Yates and Ridgeway and that portion of the Town of Shelby bounded and described as follows: The portion of the Village of Medina situate within the said Town of Shelby lying west of the center line of West Avenue.

Legislative District 3 shall include that part of Orleans County being all of the Towns of Albion and Gaines.

Legislative District 4 shall include that part of Orleans County being all of the Towns of Murray, Kendall and Carlton.

SECTION 5. LEGISLATIVE DISTRICTS CONTINUED:

The four legislative districts as previously bounded and described by Section 3 C. of Local Law No. 2 of the Year 1982 shall continue as such for the limited purpose of continuing in office the legislators elected from said districts through December 31, 2011 and such current legislative districts shall continue to exist through December 31, 2011. For the purpose of the general election of 2011 and all other purposes on January 1, 2012, the County of Orleans four legislative districts are described in Section 4. hereinabove and more particularly shown on a map entitled Orleans County Legislative Districts attached hereto and made a part hereof.

SECTION 6. EFFECT OF OTHER LAWS OR ACTS:

Any law, ordinance, resolution or other act inconsistent with the provisions hereof shall be superseded by this Local Law.

SECTION 7. SEPARABILITY:

If any clause, sentence, paragraph or section of this Local Law shall be adjudged by any Court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, or paragraph thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 8. SUBJECT TO REFERENDUM ON PETITION:

This local law shall take effect forty-five (45) days after its adoption hereof, or after approval of the affirmative vote of a majority of the qualified voters of the County of Orleans voting on a proposition for its approval if within forty-five (45) days after its adoption there be filed with the Clerk a petition protesting against this Law in the form, signed and authenticated, as provided for in section 24 of the Municipal Home Rule Law of the State of New York

(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 20___, of the (County) (City) (Town) (Village) of Orleans, New York was duly passed by the Orleans County Legislature on ___ 20___, in accordance with the applicable provisions of law. (Name of Legislative Body),

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) _____ was duly passed by the _____ on _____ 20____, and was (approved) (not disapproved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2008, 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 _____ 2008, and was (approved) (not disapproved) (repassed after (Name of Legislative Body) disapproval) by the _____ on _____ 20__ Such local law was submitted to (Elective Chief Executive Officer) 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 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. 3 of **2011** of the (County) (City) (Town) (Village) of Orleans, New York was duly passed by the Orleans County Legislature, and was (approved) on JUNE 22, 2011 (~~not disapproved~~) (~~repassed after disapproval~~) by the Chairman. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of AUGUST 8, 2011, 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.

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.

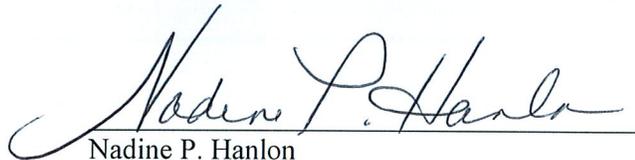
6. (County local law concerning adoption of Charter.)

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 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 4, above.

(SEAL)


Nadine P. Hanlon

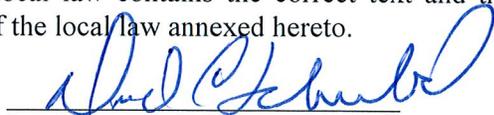
Legislative Clerk, County of Orleans

Date: August 8, 2011

(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 ORLEANS

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.


David C. Schubel
County Attorney

County _____
City of Orleans

Town _____
Dated: August 8, 2011



STATE OF NEW YORK
DEPARTMENT OF STATE

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

August 12, 2011

Nadine P Hanlon
Clerk Orleans County Legislature
3 South Main Street
Suite 2
Albion NY 14411

RE: Count of Orleans, Local Law 3 2011, filed on August 12, 2011

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.state.ny.us.

Sincerely,
State Records and Law Bureau
(518) 474-2755

RECEIVED

AUG 17 2011

**ORLEANS COUNTY
LEGISLATURE**