

(Redrafted)

LOCAL LAW NO. 12-1973
CHAUTAUQUA COUNTY

A Local Law Establishing a County Legislature Which Shall be the Elective Governing Body of
the County of Chautauqua

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

Section 1. It is the intent of this local law to put into effect a permanent plan of reapportionment in accordance with an order of the Supreme Court of the State of New York.

Section 2. This local law is adopted pursuant to Subparagraph Thirteen of Paragraph (a) of Subdivision One of Section Ten of the Municipal Home Rule Law of the State of New York.

Section 3. There is hereby created in and for the County of Chautauqua, a County Legislature which shall be the elective governing body of the County of Chautauqua. The representatives elected from the various county legislative districts, as herein set forth, shall by the county legislators and shall when lawfully convened, constitute the legislative, appropriating, governing and policy determining body of Chautauqua County and shall be known as the County Legislature. The County Legislature shall have and exercise and be subject to all the functions, powers, obligations and duties which by law re processed by or vested in a Board of Supervisors. Whenever the term "county Boar", "Board of Supervisors", "County Governing Board", "Elective Governing Body of the County" is referred to in any law, it shall be deemed to mean and refer to the County Legislature.

Section 4. County Legislators shall be elected as general elections to be held in odd numbered years from the districts herein established and in such numbers as herein provided. The first election to be held at the general election in the month of November, 1975 except that upon approval of this local law as a temporary plan of apportionment by a court of competent jurisdiction, an election of county legislators as provided in this local law shall be held at the general election November 1973 at which election said county legislators shall be elected for a term of two years, beginning January 1, 1974, and ending December 31, 1975. The term of office of all County Legislators, except to fill a vacancy, shall be two years, commencing on the first day of January of the year next following their election.

Section 5. At the time of nomination or appointment and throughout the term of office, each County Legislator shall reside in and shall be a duly qualified elector of the legislative district and the area within any residency district as herein provided from which he is elected or appointed.

Section 6. Each County Legislator shall have one vote in the County Legislature.

Section 7. Except as herein set forth to the contrary, the organization and operation of the County Legislature shall comply with the provisions of the County Law of the State of New York.

Section 8. A vacancy in the office of County Legislator shall be filled by the appointment, by a majority vote of the County Legislature, of a person who possesses all of the qualifications for his appointment as set forth herein.

Section 9. All references to cities, city wards, towns, and election district shall relate to such cities, city wards, towns, and election districts as they existed on May 1, 1973.

Section 10. The County Legislature shall consist of twenty-five legislators elected from twelve district as herein provided.

Section 11. The legislative districts and number of County Legislators from each such district shall be as follows:

1. District one shall consist of the area contained within the boundaries of the city of Dunkirk and Town of Dunkirk and shall have three legislators elected at large therein as follows:

- (a) One shall reside in the area contained within the boundaries of Election District No. 2 in the Town of Dunkirk and Election Districts Number One, Two, Three, and Four in Ward Two in the City of Dunkirk.
- (b) One shall reside in the area contained within the boundaries of Election Districts Number One, two, Three and Four in Ward Three in the City of Dunkirk and Election District Number Two in Ward Four in the City of Dunkirk, and
- (c) One shall reside in the area contained within the boundaries of Election District Number One in the Town of Dunkirk, Election Districts One, Two, Three and Four in Ward Four in the City of Dunkirk and Election Districts one, Three, and Four in the City of Dunkirk.

2. District Two shall consist of the area contained within the boundaries of the Towns of Pomfret and Portland and shall have three legislators elected at large therein, as follows:

- (a) One shall reside in the area contained within the boundaries of Election Districts Two, Three, Four and Ten in the Town of Pomfret.
- (b) One shall reside in the area contained within the boundaries of Election Districts One, Five, Six, and Seven in the Town o f Pomfret, and
- (c) One shall reside in the area contained within the boundaries of the Town of Portland and Election Districts Eight and Nine in the Town of Pomfret.

3. District Three shall consist of the area contained within the boundaries of the Towns of Sheridan, Hanover, Villenova and Arkwright and shall have two legislators elected at large therein as follows:

- (a) One shall reside in the area contained within the boundaries of the Town of Sheridan and Election Districts One, Two, Three, Four and Seven in the Town of Hanover, and
- (b) One shall reside in the area contained within the Towns of Villenova and Arkwright and Election Districts Five and Six in the Town of Hanover.

4. District Four shall consist of the area contained within the boundaries of the Towns of Stockton, Charlotte, Cherry Creek and Ellington and shall have one legislator elected at large therein.

5. District Five shall consist of the area contained within the boundaries of the Towns of Gerry and Ellery and shall have one legislator elected at large therein.

6. District Six shall consist of the area contained within the boundaries of the Towns of Poland and Carroll and shall have one legislator elected at large therein.

7. District Seven shall consist of the area contained within the boundaries of the Towns of Busti and Harmony and Election District One in the Town of North Harmony and shall have two legislators elected at large therein, as follows:

- (a) One shall reside in the area contained within the boundaries of the Town of Harmony and Election Districts One, Seven and Eight in the Town of Busti, and
- (b) One shall reside in the area contained within the boundaries of Election Districts Two, Three, Four, Five and Dix in the Town of Busti and Election District One in the Town of North Harmony

8. District Eight shall consist of the area contained within the boundaries of the Towns of Clymer, French Creek, Sherman and Mina and Election district Two in the Town of North Harmony and shall have one legislator elected at large therein.

9. District Nine shall consist of the area contained within the boundaries of the Towns of Chautauqua, Westfield and Ripley and shall have two legislators elected at large therein, as follows:

- (a) One shall reside in the area contained within the boundaries of the Towns of Ripley and Westfield, and
- (b) One shall reside in the area contained within the boundary of the Town of Chautauqua

10. District Ten shall consist of the area contained within the boundaries of the Towns of Ellicott and Kiantone and shall have two legislators elected at large therein, as follows:

- (a) One shall reside in the area contained within the boundaries of the Village of Falconer, the Town of Kiantone, and all that part of the Town of Ellicott situate southerly of the Village of Falconer and bounded on the east by the Towns of Poland and Carroll, on the west by the City of Jamestown and on the south by the Town of Kiantone.
- (b) One shall reside in the area contained within the boundary of the Town of Ellicott, excluding therefrom the Village of Falconer and all that part of the Town of Ellicott situate southerly of the village of Falconer and bounded on the east by the Towns of Poland and Carroll, on the west by the City of Jamestown and on the south by the Town of Kiantone..

11. District Eleven shall consist of the area contained within the boundaries of Wards One, Two and Seven of the City of Jamestown and shall have three legislators elected at large therein.

12. District Twelve shall consist of the area contained within the boundaries of Wards Three, Four, Five and Six of the City of Jamestown and shall have four legislators elected at large therein.

Section 12. A County Legislator may hold other elective offices.

Section 13. If any provision of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy.

Section 14. Whenever the word "supervisor" is referred to in any law in such context as to indicate capacity as a county officer rather than a town supervisor, it shall be deemed to mean and refer to County Legislator.

Section 15. This local law shall become effective upon its approval by a court of competent jurisdiction and by affirmative vote of a majority of the qualified electors of the County of Chautauqua voting on a proposition for its approval at the General Election held in November 1973.

Adopted by Legislature: 5/23/73 R/C Vote: 23 Yes; 3 Absent

Public Hearing: 5/23/73

Adopted at General Election 11/6/73 as LL 12-73