

LOCAL LAW NO. 4-1983
CHAUTAUQUA COUNTY

A LOCAL LAW CREATING THE CHAUTAUQUA COUNTY ENVIRONMENTAL
MANAGEMENT COUNCIL

A LOCAL LAW to establish a County Environmental Management Council for the County of Chautauqua. BE IT ENACTED by the Legislature of the County of Chautauqua as follows:

SECTION 1. Legislative Intent. Preservation and improvement of the quality of the natural and man-made environment within the County of Chautauqua in the face of urbanization and technological change with their accompanying demands on natural resources, are of increasing and vital importance to the health, welfare, and economic well-being of the present and future inhabitants of the County. It is recognized that the biological integrity of the natural environment on which man is dependent for survival and the natural and functional beauty of our surroundings which condition the quality of our life experience can-not be protected without the full cooperation and participation of all local governments working in concert with each other and with other public and private institutions, agencies and organization. Establishment by the County of Chautauqua of a Council for environmental management is a necessary step in fostering unified action on environmental problems among local governments and among public and private agencies and organizations located within the County.

SECTION 2. Establishment of the Council. The Legislature of the County of Chautauqua hereby creates and established a Council which shall be called the Chautauqua County Environmental Management Council, hereinafter called the Council.

SECTION 3. Membership and Term. (1) The Council shall consist of the nine members appointed by the County Executive, subject to approval by the Legislature. These members shall be persons other than members of city, town, or village commissions for conservation of the environment residing within the County of Chautauqua and who are interested in the improvement and preservation of environmental quality. The first four members appointed shall hold office for a term of one year, the second five for a term of two years and the successors of all nine initial appointees shall be appointed for full terms of two years.

(2) The membership of the Council also shall consist of one member from each commission for conservation of the environment that has been established by the governing bodies of cities, villages, and towns within the County of Chautauqua. These members shall serve for two-year terms from the time they are confirmed by the Legislature.

(3) The County Legislature shall choose one of its members to be an ex-officio member of the Council. In addition, the Chairman of the County Planning Board and Director of Public Works shall be ex-officio members of the Council. Other ex-officio members may be appointed as deemed necessary.

(4) All appointees to membership in the Council shall serve for two-year terms. The terms of members appointed from city or town commissions for conservation of the environment shall be concurrent with their terms on such city, village or town commissions, not

exceeding a period of two years. Vacancies on the Council shall be filled in the same manner as the original appointment except that a vacancy occurring through circumstances other than by expiration of term of office shall be filled only for the remainder of the unexpired term.

SECTION 4. Officers, Meetings and Committees. The County Executive shall designate a member of the Council to act as chairman thereof. At the first meeting of the Council, its members shall elect from among themselves a recording secretary. The Council shall adopt rules and procedures for its meetings. It shall keep accurate records of its meetings and activities and shall file an annual report as provided in this local law.

SECTION 5. Powers and Duties of the Council. The powers and duties of the Council shall be to:

(1) Advise the County Executive and the County Legislature on matters affecting the preservation, development, and use of the natural and man-made features and conditions of the County insofar as they have a bearing on environmental quality and, in the case of man's activities and developments, with regard to any major threats posed on environmental quality, so as to enhance the long-range value of the environment to the people of the County.

(2) Develop and, after receiving general approval by resolution of the County Legislature, conduct a program of public information in the County which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions.

(3) Develop and recommend a program to improve the coordination and effectiveness of public and private projects and activities in the County in accord with the purposes of this Local Law, working in cooperation with commissions for conservation of the environment, insofar as such agencies have been established in cities, towns and villages within the County and with other public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.

(4) Encourage the establishment of commissions for conservation of the environment in cities, towns, and villages within the County, advise and assist them in developing their own programs, and foster an effective interchange between the Council and such agencies.

(5) Maintain liaison with county, state, and federal agencies and boards and other such public and private bodies affecting the conservation of environmental quality, with the view towards improvement of coordination.

(6) Conduct, with appropriate coordination with existing or prospective work of a similar nature performed in municipalities within the county, studies, surveys, and inventories in accord with the general purposes of this Local Law, including but not limited to surveys and studies for identification of those open spaces, natural areas, marshlands, swamps, and other wetlands and other natural and scenic features which are of a county or regional significance and for which an index shall be maintained, and make recommendations to the County Executive and the County Legislature for the appropriate preservation and use of such areas and features.

(7) Recommend from time to time to the County Executive and the County Legislature plans and programs for environmental improvement for inclusion in the County master plan, including but not limited to the recommendations in the report and plan required in section seven of this Local Law.

(8) Prepare, print, and distribute books, maps, charts, and pamphlets in accord with the purpose of this Local Law.

(9) When authorized by resolution of the County Legislature, the Council may accept by gift, grant, devise, bequest, or otherwise, property both real and personal in the name of the County, as may be necessary to conserve and otherwise properly utilize open spaces and other land and water resources within the boundaries of the County. Such real property may be accepted in fee for land and water rights, or as any lesser interest, development right, easement, including conservation easement, covenant, or other contractual right including conveyance with limitations or reversions.

SECTION 6. Reports. (1) The Council shall submit an annual report to the County Executive and County Legislature no later than the first day of February of each year, concerning the activities and work on the Council, and from time to time shall submit such other reports and recommendations as are necessary to fulfill the purposes of this Local Law.

(2) The Council also shall prepare a report on the state of the natural and man-made environment in the County. Such report shall include a plan for protection of the County's natural and man-made environment and for management of its natural resources. The report and the action plan contained therein shall be prepared in cooperation with the County Planning Board and with full consideration of related local and regional plans and reports and shall be submitted by the Council to the County Executive and County Legislature as soon as practical, but not later than three years after the effective date of this Local Law. Thereafter, this report and the plan shall be revised by the Council and resubmitted at regular intervals not exceeding three years.

SECTION 7. Compensation and Expenses. The members of the Council, including ex-officio members, shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within appropriations made available therefore as specified in the budget of the Planning Division.

SECTION 8. Construction. This Local Law shall be deemed an exercise of the powers of the County to preserve and improve the quality of the natural and man-made environment on behalf of the present and future citizens thereof. This Local Law is not intended and shall not be deemed to impair the powers of any city, town, or village within the County of Chautauqua.

SECTION 9. Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

Approved by Legislature: 5/13/83

R/C Vote: 24 Yes; 1 Absent

Public Hearing: 5/27/83

Adopted as Local Law 4-83

