

LOCAL LAW NO. 2-02
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CHARTER

BE IT ENACTED, by the Chautauqua County Legislature of the County of Chautauqua, New York as follows:

Section I. Purposes and Intent.

A. Pursuant to New York State County Law § 215 (4), the Chautauqua County Legislature has historically approved all leases of real property entered into by the County and its elected officials. The first purpose of this Local Law is to confirm in the Chautauqua County Charter that all leases entered into by the County and its elected officials remain subject to approval by the Chautauqua County Legislature.

B. Under the amended Chautauqua County Charter adopted in 1998, other county-wide elected officers besides the County Executive were given authority to make, sign, execute, and implement contracts utilizing funds appropriated for their use. The second purpose of this Local Law is to confirm that similar to the County Executive, such other elected officers must still obtain approval from the County Legislature prior to executing two types of contracts: (1) the lease, sale, purchase, or transfer of real property, and (2) the provision of facilities or the rendering of services by or for any other government.

C. Lastly, under the aforementioned 1998 Charter amendments, it was further provided in regard to the County Executive that in lieu of individual legislative approval of each contract described above, the County Legislature may adopt policies authorizing the County Executive to execute and implement particular classes of such contracts. It was also specifically provided that the County Executive shall have the power to delegate the making, signing, executing, and implementing of contracts to other County officers. The third purpose of this Local Law is to confirm that similar to the County Executive, the County Legislature may adopt policies authorizing other elected county-wide officials to execute and implement particular classes of contracts that would otherwise require legislative approval, and that such other elected county-wide officials shall also have the power to delegate the making, signing, executing, and implementing of their contracts to other County officers under their supervision.

Section II. Amendments.

A. The first sentence of Section 3.02 (h) of the Chautauqua County Charter governing the County Executive's contracting authority is hereby amended as follows:

(h) Except as otherwise provided in this Charter, make, sign, execute and implement all contracts on behalf of the County, within the amounts appropriated by the County Legislature, except that a contract for: (1) the lease, sale, purchase, or

transfer of real property, or (2) the provision of facilities or the rendering of services by or for any other government must be approved by the County Legislature.

B. Section 4.00 of the Chautauqua County Charter is hereby amended as follows:

Section 4.00 Other Elected Officers

There shall be other County officers elected to a specific term of office from the County at large as provided for in this Article. Elected county-wide officials specified in this Article shall be responsible for preparing and submitting tentative budgets to the County Legislature for their functions, and shall make, sign, and implement all contracts utilizing funds appropriated for their use, except that a contract for: (1) the lease, sale, purchase, or transfer of real property, or (2) the provision of facilities or the rendering of services by or for any other government must be approved by the County Legislature. In lieu of individual approval of each contract described in (1) and (2) above, the County Legislature may adopt policies authorizing said elected county-wide officials to execute and implement classes of such contracts. Said elected executing, and implementing of contracts to other County officers under their supervision. Said officials shall have the power to determine the portions of program appropriations expended for personnel, equipment, or contractual purposes, but may not transfer funds between program appropriation accounts.

Section III. Effective Date

This Local Law shall take effect sixty (60) days after adoption, or upon approval by a majority of the qualified electors in the event a permissive referendum is held in accordance with Municipal Home Rule Law.

L Aid on desks: 1/23/02
Adopted: 2/27/02 (60 Day Permissive Referendum)
Public Hearing: 3/18/02
Filed w/ State: 5/23/02
ADOPTED AS LOCAL LAW 2-02