

LOCAL LAW NO. 4-04
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CHARTER

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

Section I. Amendments to County Charter.

1. Section 2.05(b) of the Chautauqua County Charter governing the County Legislature's authority to adopt the budget, incur indebtedness, and levy taxes is hereby amended as follows:

(b) To make appropriations, incur indebtedness, adopt the budget and six (6) year capital plan, and levy taxes. Legislative appropriations will be made on a lump sum basis for each program of County government. In the event the Legislature fails to finally adopt a budget for an ensuing fiscal year on or before December 1, the tentative budget shall constitute the budget for such ensuing fiscal year. The appropriation resolution and the resolution authorizing the levy of taxes shall be deemed to have been passed by the Legislature as of such date.

2. Section 2.05(c) of the Chautauqua County Charter governing the County Legislature's policy-making authority is hereby amended as follows:

(c) To adopt general policy for County government including enacting, amending, or rescinding local laws, charter laws, legalizing acts or resolutions, except that local laws and resolutions may not supersede the enumerated powers of other County officials set forth in this Charter without a duly adopted Charter amendment. On at least an annual basis prior to the County Executive's preparation of the tentative budget, the County Legislature shall adopt by resolution a comprehensive financial management policy and an investment policy, and shall adopt by resolution programs, goals and objectives, as well as specific performance measures for those programs, goals and objectives, which shall be utilized in the formulation of the budget and in measuring the success of its implementation. Resolutions adopting programs, goals, objectives, and specific performance measures shall not be subject to veto by the County Executive.

3. Section 3.02(b)(ii) of the Chautauqua County Charter governing the minimum time requirements for budget adoption to be provided in the County's administrative code is hereby amended as follows:

(ii) uniform financial procedures to be followed by all County officers and entities, with the following minimum time requirements in the budget adoption process:

- (1) Resolutions adopting financial management policy, investment policy, and Legislative programs, goals, objectives, and performance measures pursuant to County Charter Section 2.05(c) - by June 15th;
- (2) Tentative budget - by September 25th.

Section II. 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.

MAILED: 8/12/04
ADOPTED: 8/25/04
PUBLIC HEARING: 9/13/04 (60 Day Referendum)
FILED W/ STATE: 11/22/04
ADOPTED AS LOCAL LAW **4-04**