

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231

(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 underlining to indicate new matter.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**

JUL 30 2009

MISCELLANEOUS  
& STATE RECORDS

~~County~~  
~~City~~ of CLAY  
Town  
~~Village~~

Local Law No. 3 of the year 20 09

A local law amending the Code of the Town of Clay, by removing all references to the "Clay Police Dept., Division of Police, or Town Police Officer", and replacing same with the words "the prevailing law enforcement agency".

Be it enacted by the Town Board of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of Clay as follows:  
Town  
~~Village~~

SEE ATTACHED LOCAL LAW.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(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. 3 of 20 09 of the (County)(City)(Town)(Village) of Clay was duly passed by the Town Board on July 20th 2009, 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) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**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 \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)  
Such local law was submitted to 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. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* 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 chairperson 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 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 1, above.

Jill Hageman-Clark  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body  
**JILL HAGEMAN-CLARK**  
Date: July 24, 2009

(Seal)

**(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 ONONDAGA

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.

Signature

ROBERT M. GERMAIN,

Title TOWN ATTORNEY

~~XXXX~~

~~City~~ Town of Clay

Town

~~Village~~

Date: July 24, 2009

**LOCAL LAW NO. 3 OF THE YEAR 2009 OF THE TOWN OF CLAY**

**A LOCAL LAW AMENDING THE CODE OF THE TOWN OF CLAY.**

**IT IS HEREBY ORDAINED AND ENACTED** by the Town Board of the Town of Clay, Onondaga County, New York, as follows:

**SECTION 1. AMENDMENT OF THE CODE OF THE TOWN OF CLAY**

**Local Law No. 3 of the Year 2009 Amending the Code of the Town of Clay**, by removing all reference to the wording "Clay Police Department, Division of Police or Town Police Officer" from the Code and to replace such with the following language, "the prevailing law enforcement agency" to said Town code.

As approved by local law the Town of Clay abolished its police department pursuant to Section 150 (4) of the NYS Town Law and transferred the function of the Town police department to the Onondaga County Sheriff's Department. The Sheriff's Department requested, the removal of the wording "**Clay Police Department, Division of Police or Town Police Officer**" and replace same with the following language, "**the prevailing law enforcement agency**", in order to enforce violations of applicable, statutes, local laws, rules, regulations, ordinances, and the Code of the Town of Clay. Said local law reads as follows:

Town Board Meeting June 1st, 2009 called public hearing for July 20th, 2009 at 7:35 P.M.

Public hearing notice published in Post Standard July 9th, 2009.

Public hearing held before the Town Board July 20th, 2009.

Town Board approved local law July 20th, 2009.

Local Law sent to Dept of State July 28th, 2009.

Received correspondence from NYS Dept of State local law filed \_\_\_\_\_.

## **LOCAL LAW**

Pursuant to Local Law No. 6 of the Year 2008, which was subject to public referendum and duly approved by qualified voters of said Town of Clay, abolished its Police Department and transferred the function of the town police department to the Onondaga County Sheriff's Department and further entered into a contract with Onondaga County for the extension of additional police services within the Town of Clay. At the request of the Sheriff's Department, for clarification purposes, this local law removes any and all references to the "Clay Police Department, Division of Police or Town Police Officer", from the Code of the Town of Clay.

### **SECTION 1.    PURPOSE**

The purpose of this local law is to eliminate all wording that makes reference to the "Clay Police Department, Division of Police or Town Police Officer" and replace same with the following language, "the prevailing law enforcement agency". The Sheriff's Department, requested for clarification purposes, in order to enforce or issue tickets for violations of the statutes, ordinances, local laws, regulations, that the Clay Code, which includes a section for traffic and vehicles, be amended to remove all references to Clay Police Department, Division of Police or Town Police Officer and replace same with the wording "the prevailing law enforcement agency."

### **SECTION 2.    CLARIFICATION**

Any reference to the "Clay Police Department, Division of Police or Town Police Officer" is hereby removed from the Code of the Town of Clay, and replaced therein with the wording "the prevailing law enforcement agency."

### **SECTION 3.    EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State.