

Local Law Filing

(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 italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Cortland

Local Law No. 6 of the year 2019

A local law Local Law No. 6 of the Year 2019 - a Local Law to Amend Local Law 3 of 1975 as
(Insert Title)
Amended by Local Law 3 of 1979, Local Law No. 6 of 1995, and Local Law No. 3
of 2000, a Local Law Creating the Department of Planning in the County of Cortland
and Continuing the Cortland County Planning Board

Be it enacted by the Cortland County Legislature of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Cortland as follows:

See attached

(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. 6 of 2019 of the (County)(City)(Town)(Village) of Cortland was duly passed by the Cortland County Legislature on June 27 2019, 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(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) *(Name of Legislative Body)* (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.

* 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.

Deputy Karen Fuller
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: _____

ON MOTION OF SANDRA PRICE

RESOLUTION NO. 214-19

Local Law No. 6 of the Year 2019 - a Local Law to Amend Local Law 3 of 1975 as Amended by Local Law 3 of 1979, Local Law No. 6 of 1995, and Local Law No. 3 of 2000, a Local Law Creating the Department of Planning in the County of Cortland and Continuing the Cortland County Planning Board

WHEREAS, the Cortland County Legislature adopted Local Law No.3 of 1975 on March 26, 1975, with subsequent amendments by Local Law No. 3 of 1979, Local Law No. 6 of 1995, and Local Law No. 3 of 2000, AND

WHEREAS, Local Law No.3 of 1975 created a Department of Planning in the County of Cortland, Continuing the Cortland County Planning Board and Creating the Cortland County Planning Council, AND

WHEREAS, the Cortland County Legislature's Agriculture/Planning/Environmental Committee has recommended revisions to said Local Law, AND

WHEREAS, a public hearing was held on June 27, 2019 before the Cortland County Legislature, AND

WHEREAS, said Local Law has been in its final form upon the desks of the Cortland County Legislature at least seven (7) calendar days exclusive of Sunday, prior to this date, NOW THEREFORE BE IT

RESOLVED, that Local Law No. 6 for the year 2019 be and is hereby enacted.
STATE OF NEW YORK) SS:
COUNTY OF CORTLAND)

This is to certify that I, the undersigned, Clerk of the Cortland County Legislature, have compared the foregoing copy with the original now on file in this office, and that the above actions were passed by the Cortland County Legislature on the 27th day of June, 2019 and that the same is a correct and true transcript of such actions taken.

IN WITNESS WHEREOF I have hereunto set my hand
and the official seal of the CORTLAND COUNTY
LEGISLATURE, this 27th day of June, 2019.



Eric J. Mulvihill
Clerk of the Cortland County Legislature

LOCAL LAW No. 3 1975
(As amended by Local Law No. 3 of 1979, Local Law No. 6 of 1995,
Local Law No. 3 of 2000, and Local Law 6 of 2019)

LOCAL LAW NUMBER 3 – 1975
(As amended by Local Law No. 3 of 1979, Local Law No. 6 of 1995,
Local Law No. 3 of 2000, and Local Law No. 6 of 2019)

A LOCAL LAW CREATING A DEPARTMENT OF PLANNING IN THE COUNTY OF CORTLAND AND,
CONTINUING THE CORTLAND COUNTY PLANNING BOARD

Be it enacted by the County Legislature of the County of Cortland, State of New York, as follows:
Section Contents

1. Legislative Intent
2. Definitions
3. Department of Planning Created
4. Appointment and Qualifications of Director
5. Powers and Duties of the Director of Planning
6. Planning Board
7. Powers and Duties of the Planning Board
8. Conflict with Other Laws
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10. Effective Date

Section 1. Legislative Intent

The County Legislature of the County of Cortland, in order to preserve the physical beauty and natural resources which have made our County an attractive place to live and work, and in order to plan for the growth of population, business, and industry in a comprehensive and rational manner which best serves the present and future residents of our County, and in order to provide for the orderly and efficient expansion of necessary public services, does hereby find it necessary to establish a Department of Planning in County Government.

Section 2. Definitions

- A. "Board" shall mean the Cortland County Planning Board.
- B. "Committee" shall mean the Agriculture/Planning/Environmental Committee (or successor committee) of the Cortland County Legislature.
- C. "Department" shall mean the Cortland County Department of Planning.
- D. "Director" shall mean the Director of Planning of the County of Cortland.
- E. "Legislature" shall mean the Cortland County Legislature.

Section 3. Department of Planning Created

- A. The Department of Planning of the County of Cortland hereby is created, established and continued.
- B. The Department shall provide technical assistance to Committees of the Legislature as the Legislature may direct, and to other Boards, Committees and Councils as requested.
- C. The Department shall act as liaison to a gencies, boards, commissions, councils,

Section 4. Appointment and Qualification of Director of Planning

- A. The head of the Department shall be the Director of Planning, who shall be appointed by the Legislature, on recommendation of its Agriculture/Planning/Environmental Committee (or successor committee), to serve at the pleasure of the Cortland County Legislature.
- B. The Director shall be in the non-competitive civil service status.
- C. Qualifications for the Director shall be in accordance with the job description on file at the Cortland County Personnel/Civil Service Office.
- D. The person holding the position of Director of Planning shall be a resident of and domiciled in the County of Cortland. Upon initial appointment, the Planning Committee may negotiate a date by which the Planning Director must move to Cortland County.

Section 5. Powers and Duties of the Director of Planning. The Director of Planning shall:

- A. Be generally responsible for operation of the Planning Department.

- 56 B. Prepare an annual work program for the Department.
- 57 C. Prepare the annual operational budget of the Department for submission to the Budget Officer.
- 58 D. Recruit and maintain a staff competent to carry out the functions of the Department within the
- 59 means authorized by the Legislature.
- 60 E. Be responsible for the internal organization of the Department, including initiation of appointment,
- 61 promotion, transfer, or dismissal of personnel. In carrying out this responsibility, the Director shall
- 62 consult with the Cortland County Personnel/Civil Service Office and act within the guidelines of
- 63 the Civil Service Law and the means authorized by the Legislature.
- 64 F. Prepare planning and technical studies in furtherance of County Planning, including but not limited
- 65 to the furtherance of the County's participation in the Comprehensive Planning Assistance
- 66 Program.
- 67 G. Make recommendations to the Planning Board concerning those planning matters referred from
- 68 municipalities pursuant to the General Municipal Law.
- 69 H. Maintain adequate records of all matters filed with the Planning Board and other agencies so
- 70 assigned to the Department.
- 71 I. Upon request, assist municipal subdivisions within the County in matters pertaining to planning
- 72 and zoning and act as a resource for them in acquiring information on and funds for programs
- 73 from sources other than County government.
- 74 J. Serve as spokesman for the Department in relations with government or quasi-government units and
- 75 the public, when specific planning issues are being addressed.
- 76 K. Maintain liaison with regional planning boards and county planning departments in adjacent counties.
- 77 L. Collect, analyze, and distribute information relative to regional, county and community planning and
- 78 zoning, including but not limited to legislation which may provide financial assistance to the
- 79 Department in carrying out its work.
- 80 M. Conduct research into business and industrial conditions within the County and cooperate with groups
- 81 organized for such purposes.
- 82 N. Have all the authority and perform all the duties now or hereafter conferred or imposed upon him by
- 83 State Statute, Local Law, or resolution of the County Legislature.
- 84

85 Section 6. Planning Board

- 86 A. The Cortland County Planning Board, created by Resolution 83 of 1968 of the Cortland County
- 87 Board of Supervisors shall be and hereby is continued.
- 88 B. The Board shall consist of eleven (11) voting members to be appointed by the Legislature on the
- 89 recommendation of its Chairperson. The Chairperson of the Legislature shall be an ex officio, non-
- 90 voting member of the Board.
- 91 C. Terms of office, removal from office, filling vacancies in office, and Board composition shall
- 92 be in accordance with the Bylaws of the Planning Board, which must be approved by the
- 93 County Legislature.
- 94

95 Section 7. Powers and Duties of the Planning Board. The Planning Board shall:

- 96 A. Adopt and amend Bylaws, which are subject to the approval of the County Legislature.
- 97 B. Perform those obligations mandated to the Board by Statute, including but not limited to preparation
- 98 and adoption of a Master Plan, and those assigned to the Board by the County Legislature.
- 99 C. In accordance with its Bylaws, create standing and special committees to assist it with various planning
- 100 studies.
- 101 D. Advise the Legislature on any matter concerning regional, county, or municipal planning which may
- 102 come to its attention by its own initiative or on referral from the Director.
- 103 E. Shall annually report to the Legislature, as directed by Statute. Said report shall include:
- 104 I) a summary of the activities of the Board during the past year, including its reviews undertaken
- 105 pursuant to General Municipal Law;
- 106 II) a summary of studies issued during the preceding year or an incorporation of said reports by
- 107 reference.
- 108 F. In consultation with the Director, encourage Planning Boards of the municipal subdivisions within the
- 109 County on an advisory basis.
- 110 G. At the request of the Director, assist in any matters affecting funding of any major physical, economic,
- 111 or administrative improvement.

- 112 H. Provide a forum for citizen communication as it relates to planning.
- 113 I. Engage in public education on planning matters within the means authorized by the Legislature.

114

115 Section 8. Conflict with Other Laws

116 A. Nothing contained in this law shall be construed as authorizing the Department, the Board or the
117 Council to supersede, abrogate or otherwise affect the statutory authority provided for in the laws or the
118 State of New York.

119 B. Nothing contained in this law shall be construed to impair the provisions of any duly executed contract
120 to which the County of Cortland is a party.

121

122 Section 9. Severability

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124 If any part or provision of this local law or the application thereof to any person or circumstance is adjudged
125 invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision
126 or application directly involved in the controversy in which such judgment shall have been rendered and shall not
127 affect or impair the validity of the remainder of this local law or the application thereof to other persons or
128 circumstances.

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130 Section 10. Effective Date

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132 This local law shall take effect immediately upon filing with the Secretary of State in accordance with the
133 provisions of the Municipal Home Rule Law.