

# 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 italics or underlining to indicate new matter.

County

~~City~~

of ERIE

~~Town~~

~~Village~~

Local Law No. 5 of the year 2000

A local law amending the Erie County Charter and Erie County  
(Insert Title)  
Administrative Code with respect to the consolidation  
of the Erie County Holding Center and Erie County  
Correctional Facility.

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

County

~~City~~

of Erie

~~Town~~

~~Village~~

as follows:

Section 1. Section 1608 of the Erie County Charter, being local law number one of the year nineteen hundred fifty-nine, as amended, is hereby amended to read as follows:

Section 1608. Additional appointments by county executive. The county historian, the veterans' service officer and the head of any other county administrative unit, except as otherwise provided in this charter, shall be appointed by the county executive, subject to confirmation by the county legislature. All such appointees shall serve at the pleasure of the county executive.

Section 2. Article XV of the Erie County Charter, being local law number one of the nineteen hundred fifty-nine, as amended, is hereby amended to by adding thereto a new section 1505 to read as follows:

Section 1505. The sheriff shall appoint the superintendent of the Erie county correctional facility to serve

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

at his pleasure. At the discretion of the Sheriff, the superintendent may hold another position within the Erie county sheriff's department. In such a case, the superintendent shall only be paid the salary of one position as designated by the sheriff.

Section 3. Section 16.08(e) of the Erie County Administrative Code, being Erie County local law number one of the nineteen hundred sixty, as amended, is hereby amended to read as follows:

e. The superintendent of the Erie county correctional facility shall be appointed on the basis of his administrative experience and his qualifications for the duties of his office. He shall have and exercise all the powers and duties conferred or imposed upon him by the county charter, by this code, by order or direction of the sheriff, by local law, by chapter seven hundred thirteen of the laws of nineteen hundred forty-six or by any other applicable law not inconsistent with the county charter or this code.

Section 4. Notwithstanding any provision of any special law of the State of New York or any local law of Erie County to the contrary, the Sheriff of Erie County shall have custody and

(1-A)

control of the Erie county correctional facility.

Section 5. This local law shall be placed before the voters of the County of Erie at a general election to be held at least sixty (60) days after the adoption hereof. If approved, this local law shall take effect immediately.

(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. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, 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.  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2000 of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on August 31 2000, and was (approved)(~~not approved~~)(repassed after disapproval) by the Erie County Executive on Sept. 6 2000. <sup>\*\*</sup> 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 Nov. 7 2000, in accordance with the applicable provisions of law. <sup>\*\*\*</sup>  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

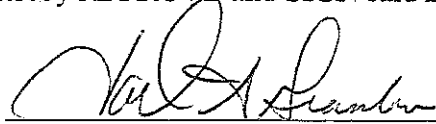
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 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.

\*\* Attached hereto and numbered as \_\_\_\_\_ (2) as page (5) is the Certification of passage of the referendum prepared by the Commissioners of the Erie County Board of Elections.  
page (4) is the approval message of the Erie County Executive



A Public Hearing was held on the foregoing Local Law Intro. No. 6-2000 on Wednesday, September 6, 2000, due notice thereof having been published in the official newspaper of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 6<sup>th</sup> day of September, 2000.



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A Public Hearing was held on the foregoing Local Law Intro. No. 6-2000 on Wednesday, September 6, 2000, due notice thereof having been published in the official newspaper of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this 6<sup>th</sup> day of September, 2000.

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## ERIE COUNTY BOARD OF ELECTIONS

### 2000 GENERAL ELECTION CERTIFICATION

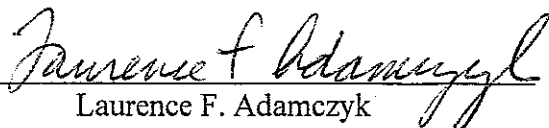
STATE OF NEW YORK)  
COUNTY OF ERIE     )   ss:

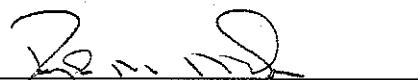
We, Laurence F. Adamczyk and Ralph M. Mohr, Commissioners of the Board of Elections of the County of Erie, and constituting said Board of Elections, do hereby certify that the annexed statement of canvass of the votes cast for the **Erie County - Local Law Intro. No. 6 of 2000, Consolidation of the Erie County Holding Center and the Erie County Correctional Facility** in the County of Erie, State of New York on the 7<sup>th</sup> day of November, 2000 is a true and correct transcript of the original entered and filed in this office on this date.

**Erie County Local Law Intro. No. 6 of 2000**  
**Consolidation of the Erie County Holding Center and the Erie County Correctional Facility**

|                          |          |        |
|--------------------------|----------|--------|
| Yes                      | Received | 157375 |
| No                       | Received | 90641  |
| Blank, Void & Scattering | Received | 183320 |
| Total Votes Cast         |          | 431336 |

*In Testimony Whereof, we have hereunto set our hand and affixed the Seal of the Erie County Board of Elections, this 4th day of December, 2000.*

  
\_\_\_\_\_  
Laurence F. Adamczyk  
Commissioner

  
\_\_\_\_\_  
Ralph M. Mohr  
Commissioner