Local Law Filing

(Use this form to file a local law with the Secretary of State.)

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED

JAN 1 4 2009

MISCELLANEOUS
& STATE RECORDS

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~~ of Erie
~~Village~~

Local Law No. 4 of the year 20.08..

A local law increasing the per page fee collected by the County Clerk's
(Insert Title)
office for recording, entering and indexing any instrument, and
endorsing a certificate thereon, in connection with papers or
instruments relating to real property and not filed under the
uniform commercial code.

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

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

Section 1. Title: Increase in Per Page Fee.

Section 2. Declaration of Intent:

In accordance with subparagraph (a)(2) of paragraph (4) of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 288 of the Laws of 2008, the Erie County Legislature hereby increases the fee charged per page for recording, entering and indexing any instrument, and endorsing a certificate thereon.

Section 3: Per Page Fee for Recording Documents.

The per page fee for recording, entering and indexing any instrument, and endorsing a certificate thereon, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate per page fee, which shall be in addition to the existing fifteen dollar cover page fee and five dollar endorsement fee, the cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth.

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

Section 4: Severability.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 5: Effective Date

This local law shall take effect thirty days after filing in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

1-a

(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. ----4------------------------ of 20-08--
of the (County)~~(City)(Town)(Village)~~ of ----Erie--28---08-------------------------------- was duly passed by the
Erie County Legislature ------------- on November 28, 20 --, and was (approved)~~(not approved)(repassed after~~
~~disapproval)~~ by the Erie County Executive ---------- and was deemed duly adopted on December 31 20 08,
(Elective Chief Executive Officer)*
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)(repassed after
(Name of Legislative Body)

disapproval) by the --- on------------------ 20----. Such local law was submitted
(Elective Chief Executive Officer)*

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
(Name of Legislative Body)

disapproval) by the --- on ----------------- 20 ---- . Such local law was subject to
(Elective Chief Executive Officer)*

permissive referendum and no valid petition requesting such referendum was filed as of----------------- 20---- , in
accordance with the applicable provisions of law.

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* 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.

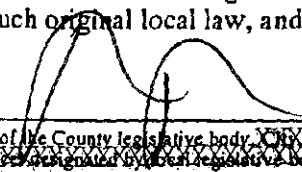**5. (City local law concerning Charter revision proposed by petition.)**

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 cit-
ies 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 in-
dicated in paragraph----2-----, above.

Clerk of the County legislative body, XXXXXXXXXXXXXXX
or officer designated by local legislative body.

Date: __1-13-9__

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or
other authorized attorney of locality.)**

STATE OF NEW YORK   Erie
COUNTY OF _____

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

Assistant County Attorney
Title

County
~~City~~
~~Town~~ of __Erie__
~~Village~~

Date: __1/13/09__

(3)

A Public Hearing was held on the foregoing Local Law Intro. No. 9-2008 on Tuesday, December 23, 2008, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, CHRIS COLLINS, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 31st day of _Dec._, 2008

Chris Collins

A Public Hearing was held on the foregoing Local Law Intro. No. 9-2008 on Tuesday, December 23, 2008, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, CHRIS COLLINS, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this ____ day of _____, 200_.