

LOCAL LAW NO. 1 OF 2005**LOCAL LAW PROVIDING FOR THE ESTABLISHMENT OF AN E-911 WIRELESS****SURCHARGE.**

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

SECTION 1. LEGISLATIVE INTENT.

The Orange County Legislature hereby finds and determines that the imposition of a surcharge on wireless communications service in the County of Orange to finance the costs associated with the design, construction, operation, maintenance and administration of a wireless E-911 system as authorized by County Law Section 308-D will provide the means to better serve the residents and visitors of Orange County.

SECTION 2. DEFINITIONS.

1. "Wireless communications device" means any equipment used to access a wireless communications service as defined in County Law Section 301(9).
2. "Wireless communications service" means all commercial mobile services, as defined in County Law 301(10).
3. "Place of primary use" shall mean the street address that is representative of where a wireless communications customer's use of the wireless communications service primarily occurs, and which address must be: (i) the residential street address or the primary business street address of the wireless communications customer; and (ii) within the licensed service area of the wireless communications service supplier.
4. "Wireless communications service supplier" means any commercial entity that operates a wireless communications service in New York State.

SECTION 3. ESTABLISHMENT OF A SURCHARGE.

Pursuant to New York State County Law Section 308-D, for the purposes of paying for the costs associated with the design, construction, operation, maintenance and administration of public safety communications networks serving Orange County and for payment of system costs, the County of Orange hereby imposes a surcharge in the amount of thirty cents (\$.30) per month on wireless communications service in the County of Orange. The surcharge shall be imposed on each wireless communication device and shall be reflected and made payable on bills rendered for wireless communications service that is provided to a customer whose place of primary use is within the County.

SECTION 4. COLLECTION OF SURCHARGE.

1. All wireless communications service suppliers are hereby authorized and directed to begin billing their customers for the surcharge established herein and/or modify and/or change the

surcharge amount to reflect the amount established herein on February 15, 2005, or forty-five days after receiving written notice hereof.

2. Each wireless communications service supplier serving the County of Orange shall act as collection agent for the County and shall remit the funds collected pursuant to a surcharge imposed under the provisions of this Section to the Orange County Commissioner of Finance every month. Such funds shall be remitted no later than thirty (30) days after the last business day of the month.

3. Each wireless communications service supplier shall be entitled to retain, as an administrative fee, an amount equal to two (2%) percent of its collections of a surcharge imposed under the provisions of this Section.

4. Any surcharge required to be collected by a wireless communications service supplier shall be added to and stated separately in its billings to customers.

5. Each wireless communications service supplier shall annually provide to the County of Orange an accounting of the surcharge amounts billed and collected.

SECTION 5. LIABILITY FOR PAYMENT OF SURCHARGE.

1. Each wireless communications service customer who is subject to the provisions of this Section shall be liable to such County for the surcharge until it has been paid to the County of Orange except that payment to a wireless communications service supplier is sufficient to relieve the customer from further liability for such surcharge.

2. No wireless communications service supplier shall have a legal obligation to enforce the collection of any surcharge imposed under the provisions of this Section, provided, however, that whenever the wireless communications service supplier remits the funds collected to the County of Orange, it shall provide to the County of Orange the name and address of any customer refusing or failing to pay a surcharge imposed under the provisions of this Section and shall state the amount of such surcharge remaining unpaid.

SECTION 6. SYSTEM REVENUES.

This Local Law shall not be interpreted as precluding other means of funding all or part of an E-911 wireless system. The County of Orange may apply for and accept federal monies and may accept contributions and donations from any source for the purpose of funding the County's E-911 wireless system. All surcharge monies remitted to the County of Orange by a wireless communications service supplier shall be expended only upon authorization of the Orange County Legislative body and only for payment of eligible wireless 911 service costs as defined in County Law Section 325(16). The County of Orange shall separately account for and keep adequate books and records of the amount and source of all such monies and of the amount and object or purpose of all expenditures thereof. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above-mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 7. VALIDITY AND SEVERABILITY.

If any Section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other Section of this Law.

SECTION 8. EFFECTIVE DATE.

This Local Law shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation.

This Local Law amending the Orange County Charter and Administrative Code shall take effect in the manner provided in the Municipal Home Rule Law and upon the completion of the requisite filings and procedures.

Local Law No. 1 of 2005 was passed December 17, 2004 by the following roll call vote:

Ayes:	18
Noes:	2
Absent:	1

Approved by the County Executive: January 6, 2005

Effective: January 18, 2005

LOCAL LAW NO. 2 OF 2005

A LOCAL LAW RE-ESTABLISHING THE BOUNDARIES AND REAPPORTIONING THE POPULATION OF THE TWENTY-ONE LEGISLATIVE DISTRICTS OF ORANGE COUNTY AS ORIGINALLY CREATED BY LOCAL LAW NO. 7 OF THE YEAR 1968, AND AMENDED FROM TIME TO TIME VIA A NEW PLAN OF REAPPORTIONMENT IN ACCORDANCE WITH THE 2000 DECENNIAL CENSUS AND SECTION 2.19 OF THE ORANGE COUNTY ADMINISTRATIVE CODE.

BE IT ENACTED by the County Legislature of the County of Orange as follows:

Section 1. Legislative Findings. This Local Law is adopted pursuant to the authority contained in Section 10 of subdivision I. a.(13) of the Municipal Home Rule Law of the State of New York. Local Law No. 7 of 1968 adopted by the former Orange County Board of Supervisors created a County Legislature for the County of Orange consisting of twenty-one legislative districts. Said local law prescribed the territorial boundaries of said legislative districts and each of said districts were substantially equal in population. Section 2.19 of the Orange County Administrative Code (Local Law No. 10 of 1969) provides that the Orange County Legislature shall prepare and approve a plan of reapportionment following each federal decennial census of the County of Orange, and for that purpose may appoint a commission to assist it in the preparation of each such plan.

Each local law, to wit: Local Law No. 7 of 1968, Local Law No. 1 of 1973, Local Law No. 7 of 1984 and Local Law No. 3 of 1993 redefined the boundaries of the twenty-one legislative districts in order to accommodate changes in population reflected by the applicable decennial census (1970, 1980 and 1990, respectively) to adjust those boundaries so that the legislative districts would be substantially equal in population and would be in compliance with constitutional requirements.

The 2000 decennial census reveals, once again, that the twenty-one legislative districts of the County of Orange no longer contain substantially equal populations. It is intended by this local law that the apportionment and districting provided for herein result in the creation of legislative districts which are substantially equal in population and are in compliance with constitutional requirements.

Section 2. Local Law No. 3 of 1993 is hereby repealed upon the expiration of the terms of office of the legislators then in office and shall be replaced by this local law.

Section 3. County Legislative Districts shall be composed of the areas within the numbered election districts of the several towns and city wards, or other territories, as the case may be and numbered and described as set forth in the attached Schedule "A" incorporated herein.

Section 4. All references to city wards and election districts shall relate to the city wards and election districts of either the City of Newburgh, the City of Middletown or the City of Port Jervis, as they existed on December 28, 2004. All references to towns and town election districts shall relate to the towns and town election districts as they existed on December 28, 2004. All references to the United State Military Reservation shall relate to said military reservation as it existed on December 28, 2004.

Section 5. The County legislative districts of the County of Orange, as existing immediately before the time this local law takes effect, shall continue to be the County legislative districts of the County of Orange until the expiration of the terms of the Legislators then in office, except for the purpose of an election of Legislators for full terms beginning at such expiration.

Section 6. For the purpose of filling vacancies occurring other than by expiration of term in the offices of County Legislators elected at the general election in two thousand and five (2005), the County legislative districts of the County of Orange, as existing immediately before the time this local law takes effect, shall continue to be the County legislative districts of the County of Orange.

Section 7. This local law shall take effect immediately and shall be subject to a permissive referendum in accordance with the provisions of paragraph "j" of subdivision 2. of Section 24 of the Municipal Home Rule Law.

**SCHEDULE "A"
REAPPORTIONMENT PLAN**

Legislative District	City or Town	City-Town Ward	Election District
1	Monroe		10
	Monroe		14
	Monroe		15
	Monroe		16
	Monroe		17
	Monroe		19
	Monroe		2
	Monroe		20
	Monroe		22
	Monroe		27

	Monroe		28
	Monroe		29
	Monroe		31
	Monroe		9
	Woodbury		3
2	Deerpark		7
	Greenville		1
	Greenville		2
	Greenville		3
	Greenville		4
	Mt. Hope		1
	Mt. Hope		2
	Mt. Hope		3
	Mt. Hope		4
	Wawayanda		1
	Wawayanda		2
	Wawayanda		3
	Wawayanda		4
	Wawayanda		5
	Wawayanda		6
3	Minisink		1
	Minisink		2
	Minisink		3
	Minisink		4
	Warwick		12
	Warwick		15
	Warwick		17
	Warwick		1
	Warwick		20
	Warwick		23
	Warwick		24
	Warwick		27
	Warwick		28
	Warwick		2
	Warwick		30
	Warwick		3
	Warwick		4
4	Newburgh City	1-1	1
	Newburgh City	2-1	1
	Newburgh City	3-1	1
	Newburgh City	4-1	1
	Newburgh City	5-1	1
	Newburgh City	1-2	2
	Newburgh City	2-2	2
	Newburgh City	3-2	2
	Newburgh City	4-2	2

	Newburgh City	1-3	3
	Newburgh City	4-3	3
	Newburgh City	1-4	4
5	Blooming Grove		10
	Blooming Grove		11
	Blooming Grove		12
	Blooming Grove		14
	Blooming Grove		15
	Blooming Grove		1
	Blooming Grove		2
	Blooming Grove		4
	Blooming Grove		5
	Blooming Grove		6
	Goshen		1
	Goshen		2
	Goshen		4
	Goshen		5
	Goshen		9
6	Newburgh City	6-1	1
	Newburgh City	7-1	1
	Newburgh City	8-1	1
	Newburgh City	9-1	1
	Newburgh City	5-2	2
	Newburgh City	6-2	2
	Newburgh City	7-2	2
	Newburgh City	8-2	2
	Newburgh City	9-2	2
	Newburgh City	6-3	3
	Newburgh City	7-3	3
	Newburgh Town		1
	Newburgh Town		2
	Newburgh Town		3
7	Monroe		1
	Monroe		11
	Monroe		12
	Monroe		13
	Monroe		18
	Monroe		21
	Monroe		23
	Monroe		24
	Monroe		25
	Monroe		26
	Monroe		3
	Monroe		30
	Monroe		4
	Monroe		5

	Monroe	6
	Monroe	8
8	Chester	10
	Chester	11
	Chester	1
	Chester	2
	Chester	3
	Chester	4
	Chester	5
	Chester	6
	Chester	7
	Chester	9
	Monroe	7
	Tuxedo	1
	Tuxedo	2
	Tuxedo	3
	Tuxedo	4
	Warwick	29
	Warwick	6
9	Crawford	5
	Crawford	7
	Montgomery	10
	Montgomery	13
	Montgomery	15
	Montgomery	16
	Montgomery	17
	Montgomery	18
	Montgomery	1
	Montgomery	2
	Montgomery	5
	Montgomery	6
	Montgomery	7
	Montgomery	8
10	Warwick	10
	Warwick	11
	Warwick	13
	Warwick	14
	Warwick	16
	Warwick	18
	Warwick	19
	Warwick	21
	Warwick	22
	Warwick	25
	Warwick	26
	Warwick	31
	Warwick	5

	Warwick		7
	Warwick		8
	Warwick		9
11	Hamptonburgh		1
	Hamptonburgh		2
	Hamptonburgh		3
	Hamptonburgh		4
	Hamptonburgh		5
	New Windsor		11
	New Windsor		14
	New Windsor		15
	New Windsor		16
	New Windsor		18
	New Windsor		19
	New Windsor		20
	New Windsor		21
	New Windsor		5
	New Windsor		9
12	Blooming Grove		13
	Blooming Grove		3
	Blooming Grove		7
	Blooming Grove		8
	Blooming Grove		9
	Cornwall		11
	Cornwall		12
	Cornwall		14
	Cornwall		1
	Cornwall		2
	Cornwall		3
	Cornwall		4
	Cornwall		6
	Cornwall		8
	Woodbury		8
13	Port Jervis	1-1	1
	Port Jervis	2-1	1
	Port Jervis	3-1	1
	Port Jervis	4-1	1
	Port Jervis	1-2	2
	Port Jervis	2-2	2
	Port Jervis	3-2	2
	Port Jervis	4-2	2
	Deerpark		1
	Deerpark		2
	Deerpark		3
	Deerpark		4

	Deerpark	5
	Deerpark	6
14	Highlands	1
	Highlands	2
	Highlands	3
	Highlands	4
	Highlands	5
	Highlands	6
	Woodbury	10
	Woodbury	1
	Woodbury	2
	Woodbury	4
	Woodbury	5
	Woodbury	6
	Woodbury	7
	Woodbury	9
15	Cornwall	10
	Cornwall	13
	Cornwall	5
	Cornwall	7
	Cornwall	9
	New Windsor	10
	New Windsor	12
	New Windsor	13
	New Windsor	17
	New Windsor	1
	New Windsor	2
	New Windsor	3
	New Windsor	4
	New Windsor	6
	New Windsor	7
	New Windsor	8
16	Newburgh	13
	Newburgh	14
	Newburgh	15
	Newburgh	16
	Newburgh	17
	Newburgh	18
	Newburgh	19
	Newburgh	21
	Newburgh	24
	Newburgh	25
	Newburgh	4
	Newburgh	5
	Newburgh	8

17	Montgomery		11
	Montgomery		12
	Montgomery		14
	Montgomery		3
	Montgomery		4
	Montgomery		9
	Newburgh		10
	Newburgh		11
	Newburgh		12
	Newburgh		20
	Newburgh		22
	Newburgh		23
	Newburgh		26
	Newburgh		6
	Newburgh		7
	Newburgh		9
	18	Crawford	
Crawford			2
Crawford			3
Crawford			4
Crawford			6
Crawford			8
Wallkill		1-1	1
Wallkill		4-1	1
Wallkill		1-2	2
Wallkill		2-3	3
Wallkill		1-4	4
Wallkill		4-4	4
Wallkill		1-5	5
Wallkill		3-5	5
Wallkill		4-5	5
Wallkill	1-6	6	
Wallkill	3-8	8	
19	Middletown	1-1	1
	Middletown	1-3	3
	Middletown	4-3	3
	Middletown	1-6	6
	Wallkill	2-1	1
	Wallkill	3-1	1
	Wallkill	2-2	2
	Wallkill	3-2	2
	Wallkill	4-2	2
	Wallkill	1-3	3
	Wallkill	3-3	3
	Wallkill	4-3	3
	Wallkill	2-4	4
	Wallkill	3-4	4

	Wallkill	2-5	5
	Wallkill	2-6	6
	Wallkill	2-7	7
20	Middletown	2-1	1
	Middletown	3-1	1
	Middletown	1-2	2
	Middletown	2-2	2
	Middletown	3-2	2
	Middletown	4-2	2
	Middletown	2-3	3
	Middletown	1-4	4
	Middletown	2-4	4
	Middletown	3-4	4
	Middletown	4-4	4
	Middletown	1-5	5
	Middletown	2-5	5
	Middletown	3-5	5
	Middletown	2-6	6
	Middletown	2-7	7
21	Middletown	4-1	1
	Middletown	3-3	3
	Middletown	4-5	5
	Middletown	4-6	6
	Chester		8
	Goshen		10
	Goshen		11
	Goshen		12
	Goshen		3
	Goshen		6
	Goshen		7
	Goshen		8
	Wallkill	3-6	6
	Wallkill	3-7	7

Local Law No. 2 of 2005 was passed February 3, 2005 by the following roll call vote:

Ayes: 13
 Noes: 8
 Absent: 0

Approved by the County Executive: February 25, 2005

Effective: April 14, 2005

LOCAL LAW NO. 3 OF 2005**A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1994 RESTATING DEFINITIONS TO EXPAND DISCLOSURE REQUIREMENTS AND PROHIBITED ACTIVITIES BY COUNTY OFFICERS, EMPLOYEES AND APPOINTED OFFICIALS.**

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

SECTION 1. PURPOSE.

Local Law No. 2 of 1994 (the "Code of Ethics" for Orange County), as authorized by Article 18 of the General Municipal Law of New York, ensures that persons in positions of governmental responsibility act in the discharge of their duties according to the highest standards of ethical conduct. The purpose of this Local Law is to amend Local Law No. 2 of 1994 by expanding the categories for mandatory disclosure and prohibited activities to include the interest of siblings.

SECTION 2. AMENDMENT.

A. Local Law No. 2 of 1994 shall hereby be amended and restated to:

(1) Include a definition for the word "sibling" as will be set forth in a new Section 3(o):

Section 3. DEFINITIONS

(o) "Sibling" means any brother or sister, half-brother or half-sister, step-brother or step-sister of a County officer or employee or appointed official.

(2) Add the word "sibling" to the definition of "Interest" as set forth in Section 3(e) which will now read as follows:

"(e)" "Interest" means a direct or indirect pecuniary or material benefit accruing to a County officer, employee or appointed official, his or her spouse, child or *sibling* whether as the result of a contract with the County or otherwise."

(3) Add the word "sibling" to the unnumbered paragraphs in Section 3.(e) which will now read as follows:

"For the purpose of this chapter, a County officer, employee, or appointed official shall be deemed to have an interest in the contract of his/her spouse, children, or *sibling*, except a contract of employment with the County."

"For the purpose of this chapter, a County officer, employee, or appointed official shall be deemed to have an interest in the contract of a firm,

partnership or association of which such officer, employee or appointed official or his/her spouse, child or *sibling* is a member or employee."

"For the purpose of this chapter, a County officer, employee, or appointed official shall be deemed to have an interest in the contract of corporation of which such officer, employee or appointed official or his/her spouse, child, or *sibling* is an officer or director."

"For the purpose of this chapter, a County officer, employee, or appointed official shall be deemed to have an interest in the contract of a corporation of which more than 5% of the outstanding capital stock of a corporation which is owned by an officer, employee or appointed official, or his/her spouse, child, or *sibling* ."

(4) Amend the definition of the term "relative" to include the word "sibling" as set forth in Section 3.(j) which will now read as follows:

"(j) "Relative" means a spouse, child, or *sibling* of a County officer, employee or appointed official."

(5) Amend Section 4.A.1. entitled "Code of Ethics" to add the word "sibling" as follows:

Section 4. CODE OF ETHICS

"(1) No officer or employee shall take action or participate in any manner whatsoever in his or her official capacity in the discussion, negotiation or the awarding of any contract or in any business or professional dealings with the County of Orange or any agency thereof in which the official or employee, their spouse, child, or *sibling* has or will have an interest, direct or indirect, in such contract or professional dealings."

SECTION 3. EFFECTIVE DATE

This local law shall take effect in the manner provided in the Municipal Home Rule Law and upon the completion of the requisite filings and procedures.

Local Law No. 3 of 2005 was passed April 8, 2005 by the following roll call vote:

Ayes:	19
Noes:	0
Absent:	1
Excused:	1

Approved by the County Executive: April 29, 2005

Effective: May 6, 2005

LOCAL LAW NO. 4 OF 2005

A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2001 AS PREVIOUSLY AMENDED TO PROVIDE FOR THE INCREASE OF THE MAXIMUM INCOME EXEMPTION ELIGIBILITY LEVEL CONTAINED THEREIN FOR PERSONS 65 YEARS OF AGE OR OVER, PURSUANT TO SECTION 467 OF THE NEW YORK STATE REAL PROPERTY TAX LAW.

BE IT ENACTED by the County Legislature of the County of Orange, as follows:

Section 1. The Orange County Legislature does hereby increase the maximum income eligibility level for persons who are sixty-five years of age or over to the extent allowed by Section 467 of the New York State Real Property Tax Law as indicated by the schedule attached hereby and made a part hereof.

Section 2. The maximum income exemption eligibility level set forth in Local Law No. 4 of 2001 and as amended by all subsequent local laws and resolutions be and the same hereby is amended by an increase to the same in accordance with the schedule set forth in Section 467 of the New York State Real Property Tax Law as amended; and as indicated by the Schedule attached hereto and made a part hereof.

Section 3. All other provisions and terms of Real Property Tax Law Section 467 and prior resolutions and Local Laws shall remain in full force and effect without change thereto.

Section 4. This Local Law will take effect in the manner provided in the New York State Municipal Home Rule Law and upon the completion of the requisite filings and procedures.

Schedule

<u>Annual Income</u>	<u>Percentage Exempt From Taxation</u>
No More than \$24,000.00	50%
\$24,000.00 but less than \$24,999.99	45%
\$25,000.00 but less than \$25,999.99	40%
\$26,000.00 but less than \$26,999.99	35%
\$27,000.00 but less than \$27,899.99	30%
\$27,900.00 but less than \$28,799.99	25%
\$28,800.00 but less than \$29,699.99	20%
\$29,700.00 but less than \$30,599.99	15%
\$30,600.00 but less than \$31,499.99	10%
\$31,500.00 but less than \$32,399.99	5%

Local Law No. 4 of 2005 was passed May 5, 2005 by the following roll call vote:

Ayes: 19
Noes: 0
Absent: 2

Approved by the County Executive: May 25, 2005

Effective: June 6, 2005

LOCAL LAW NO. 5 OF 2005

A LOCAL LAW TO PROVIDE A TEN PERCENT EXEMPTION ON REAL PROPERTY OWNED BY MEMBERS OF VOLUNTEER FIRE DEPARTMENTS AND VOLUNTARY AMBULANCE SERVICES IN ORANGE COUNTY.

BE IT ENACTED by the County Legislature of the County of Orange as follows:

Section 1. Legislative Findings.

This Local Law is adopted pursuant to Chapter 74 of the Laws of 2005 which added a new Section 466-f to the New York State Real Property Tax Law to provide a ten percent (10%) real property tax exemption for qualified members of volunteer fire departments and volunteer ambulance services. Members of volunteer fire departments and ambulance services provide valuable services to the people of Orange County. In order to be certified and re-certified, such volunteers must undertake numerous hours of training on their own time and frequently at their own expense. The purpose of this exemption is to maintain the ranks of the volunteer corps and encourage volunteers to join. The enabling legislation enacted by the State legislation requires that localities must adopt a local law in order to afford those volunteers such exemption.

Section 2. Definitions.

As used in this article the following terms shall have the meaning indicated:

LIFETIME TAX EXEMPTION – The aforesaid tax exemption provides to a person who has been an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service with active service for twenty (20) years prior to submitting an application for such tax exemption and has obtained a certificate from such organization certifying to such membership and such active service; which tax exemption shall be provided to such member for the remainder of such member's life as long as such member's primary residence is located within Orange County.

QUALIFIED MEMBERS – An individual who has been an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service for five (5) years prior to submitting an application for tax exemption and has obtained a certificate from such organization certifying to such membership.

TAX EXEMPTION – Ten percent (10%) of the assessed value of the real property constituting the applicant's primary residence for County purposes exclusive of special assessments, which exemption shall not exceed \$3,000 multiplied by the latest equalization rate available for the assessing unit in which such real property is located.

Section 3. Exemptions.

A qualified member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service shall be afforded a tax exemption as herein defined, provided that:

- A. Such qualified member resides in the village or town which is served by such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
- B. The property upon which such qualified member is seeking this exemption is the primary residence of such qualified member and such property is used exclusively for residential purposes. To the extent such property has uses other than residential, such exemption shall apply only to the residential portion of such property; and
- C. Such qualified member files the aforesaid certificate annually with the applicable assessor's office on or before the taxable status date on forms to be provided by the State board.

Section 4. Effective Date.

This local law shall take effect in the manner provided in the New York State Municipal Home Rule Law and upon the completion of the requisite filings and procedures and shall apply to taxable status dates occurring on or after such date.

Local Law No. 5 of 2005 was passed July 7, 2005 by the following roll call vote:

Ayes:	21
Noes:	0
Absent:	0

Approved by the County Executive: July 27, 2005

Effective: August 22, 2005

LOCAL LAW NO. 6 OF 2005

A LOCAL LAW AMENDING LOCAL LAW NO. 8 OF 1968, KNOWN AS THE ORANGE COUNTY CHARTER, AND LOCAL LAW NO. 10 OF 1969, KNOWN AS THE ORANGE COUNTY ADMINISTRATIVE CODE, AS PREVIOUSLY AMENDED, AUTHORIZING THE COMMISSIONER OF EMERGENCY SERVICES TO DESIGNATE AN ACTING COMMISSIONER.

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

SECTION 1. PURPOSE

The purpose of this Local Law is to amend those portions of Article XXVI of the Orange County Charter and Article XXVI of the Orange County Administrative Code respecting the designation of Deputy Commissioners to act for and in place of the Commissioner in his or her absence. The Charter and Administrative Code, in their current form, designate the Deputy Commissioner for the Division of Emergency Communications to serve as acting Commissioner. The Amendments will authorize the Commissioner to designate either the Deputy Commissioner of Emergency Communications or the

Deputy Commissioner of Emergency Management to act for and in place of the Commissioner in the event of his or her absence or inability to serve.

SECTION 2. AMENDMENTS

A. Local Law No. 8 of the Year 1968, known as the Orange County Charter, be and hereby is amended as follows:

(i) by adding to Article XXVI a new Section 26.08 entitled

“Designation of Acting Commissioner of Emergency Services” to read as follows:

“The Deputy Commissioner for the Division of Emergency Communications and the Deputy Commissioner for the Division of Emergency Management are authorized to serve as acting Commissioner, in the place and stead of the Commissioner in the event of his or her absence from the County or inability to perform and exercise the powers and duties of his or her office. The Commissioner of Emergency Services, subject to the approval of the County Executive, shall designate in writing the order of succession in which the aforesaid Deputy Commissioners shall serve as acting Commissioner. Such designation shall be filed with the Clerk of the County Legislature and may be revoked or amended at any time by the Commissioner by filing a new written designation and order of succession. The acting Commissioner shall have all the powers and perform all the duties of the Commissioner.”

(ii) subparagraph (a) of Section 26.03(1) of the Orange County Charter, which confers upon the Deputy Commissioner for Emergency Communications the power and duty to act for and in place of the Commissioner, is hereby deleted in its entirety.

B. Local Law No. 10 of 1969 known as the Orange County Administrative Code is hereby amended as follows:

(i) by adding to Article XXVI a new Section 26.08 entitled

“Designation of Acting Commissioner of Emergency Services” to read as follows:

“The Deputy Commissioner for the Division of Emergency Communications and the Deputy Commissioner for the Division of Emergency Management are authorized to serve as acting Commissioner, in the place and stead of the Commissioner in the event of his or her absence from the County or inability to perform and exercise the powers and duties of his or her office. The Commissioner of Emergency Services, subject to the approval of the County Executive, shall designate in writing the order of succession in which the aforesaid Deputy Commissioners shall serve as acting Commissioner. Such designation shall be filed with the Clerk of the County Legislature and may be revoked or amended at any time by the Commissioner by filing a new written designation and order of succession. The acting Commissioner shall have all the powers and perform all the duties of the Commissioner.”

(ii) subparagraph (a) of Section 26.03(1) of the Orange County Charter, which confers upon the Deputy Commissioner for Emergency Communications the power and duty to act for and in place of the Commissioner, is hereby deleted in its entirety.

SECTION 3. EFFECTIVE DATE

This Local Law amending the Orange County Charter and the Orange County Administrative Code shall take effect in the manner provided in the Municipal Home Rule Law and upon the completion of the requisite filings and procedures.

Local Law No. 6 of 2005 was passed September 1, 2005 by the following roll call vote:

Ayes:	19
Noes:	0
Absent:	2

Approved by the County Executive: September 23, 2005

Effective: October 4, 2005

