

Section 1. Title.

A local law amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to recommendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 1-2017 and amending Local Law 1-1960, constituting the Erie County Administrative Code, as amended.

Section 2. Legislative Intent.

The Erie County Legislature approved Local Law No. 1-2017 which, among other things, amended Article 26 Section 2608 of the Erie County Charter to mandate the empanelment of a Charter Revision Commission by October 15, 2024 for the express purpose of reviewing the Erie County Charter and to make recommendations on whether or not the Erie County Charter should be amended to facilitate the more effective delivery of services to the public and to better coordinate the functions between departments and agencies of the County and the various local governments. The Legislature has reviewed all of the recommendations and comments of the Charter Revision Commission, other interested policy organizations, members of the public, the Erie County Legislature, and other elected officials. The Legislature held and participated in numerous public hearings to receive public input about changes to the Charter. The Legislature has considered all relevant information and input and does hereby determine that certain sections of the Erie County Charter, Local Law 1-1959 (as amended), shall be amended to modernize the Charter and to enhance the fiscal oversight and financial stability of the County. In addition, and as a natural outgrowth of the Charter Amendments below, the Legislature does hereby determine that Article 14 of the Erie County Administrative Code shall be amended in order to avoid conflict of provisions between it and newly amended Article 5 of the Erie County Charter.

Section 3.

Article II of the Erie County Charter is hereby amended as follows:

Article 2 - Legislative Branch - Charter

Section	201.	County Legislature constituted.
	202.	Powers and duties.
	202.1	Qualifications and eligibility of County legislators.
	202.2	Elections and terms of office.
	202.3	Increasing the salaries of County elected officials.
	202.4	Allocation of funds for the Erie County Legislature
	203.	Local laws; definition; power to adopt, amend and repeal; effect on legislative acts.
	204.	Form and procedure.
	205.	Procedure for adoption of local laws.
	206.	Filing and publication of local laws; judicial notice.
	207.	Referendum.
	208.	Effective date.

- 209. Ordinances.
- 210. Advisory Committee on Reapportionment.
- 211. Approval of independent auditors.
- 212. Public comment.

Section 4.

Article II of the Erie County Charter is hereby amended as follows:

Section 202.1. Qualifications and eligibility of County legislators. At the time of nomination or appointment and throughout the term of office, each County legislator shall be a duly qualified elector of the legislative district from which the County legislator is elected. A County legislator shall not hold any other salaried elective public office during the County legislator's tenure. Where a vacancy in an appointive County office takes place and the right to fill said vacancy is vested in the County Executive, subject to confirmation by the County Legislature, or the power of appointment is vested in the County Legislature, a person, otherwise qualified, who is a member of the County Legislature at the time the vacancy occurs may be appointed to fill the vacancy provided the County legislator shall have resigned prior to such appointment.

Section 5.

Article II of the Erie County Charter is hereby amended as follows:

Section 205. Procedure for adoption of local laws. Every local law adopted by the County Legislature shall be certified by the Clerk thereof after its adoption by such body and shall be presented to the County Executive for approval by him or her. No local law shall be approved by the County Executive until a public hearing thereon has been held before him or her. This hearing shall be held on public notice of at least five days, such notice to be given by the County Executive within ten days after the local law shall have been presented to him or her, and the hearing shall be held within twenty days after such presentation. If the County Executive approves the local law, the County Executive shall sign it and return it to the Clerk of the County Legislature. If the County Executive disapproves it, the County Executive shall return it to the Clerk with the County Executive's objections stated in writing, and the Clerk shall present the law with such objections to the County Legislature at its next regular meeting. Such objections shall be entered in the Legislature's record of proceedings. The County Legislature within thirty days thereafter may reconsider the local law. If after the reconsideration such local law is repassed by a vote of at least two thirds of the total voting power of the County Legislature, it shall be deemed adopted, notwithstanding the objections of the County Executive. Only one vote shall be had upon such reconsideration. The vote shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the record of proceedings. If within thirty days after a local law shall have been presented to him or her the County Executive shall neither approve it nor return it to the Clerk with his or her objections, the local law shall be deemed to be adopted in like manner as if he or she had signed it. At any time prior to the approval of a local law or to its return by the County Executive, the County Legislature may recall the same and reconsider its action thereon.

Section 6.

Article II of the Erie County Charter is hereby amended by adding a new Section 212 as follows:

Section 212. Public Comment. At the beginning of every meeting of the Legislature, there shall be an opportunity given to members of the public in attendance to address the Legislature. The Chair of the Legislature shall be empowered to create rules regarding public comment and such rules must be published on the county website.

Section 7.

Article 3 of the Erie County Charter is hereby amended as follows:

Section 301. The County Executive; election; term; qualifications. The executive branch of County government shall be administered by the County Executive who shall be elected from the County at large. The County Executive's term of office shall begin with the first day of January next following the County Executive's election and shall be for four years, except that the term of the County Executive elected in nineteen hundred sixty shall be for three years. At the time of the County Executive's election and throughout the County Executive's term of office the County Executive shall be a qualified elector of the County. The County Executive shall devote the County Executive's whole time to the duties of the County Executive's office and shall hold no other public office, except as provided in section three hundred seven hereof.

Section 8.

Article 3, Section 302(3) of the Erie County Charter is hereby amended as follows:

3. Supervise and direct the internal organization and reorganization of each department or other administrative unit the head of which the County Executive has power to appoint.

Section 9.

Article 3 of the Erie County Charter is hereby amended as follows:

Section 306. Division of Purchase; Purchasing Act repealed. There shall be in the office of the County Executive a Division of Purchase, headed by a Purchasing Director who shall be appointed by and serve at the pleasure of the County Executive. Such director shall possess at least five years of practical experience in the area of purchasing, and/or shall possess at least five years professional training in the area of purchasing, or shall possess a combination of said requirements totaling at least five years. The Purchasing Director shall, in accordance with requirements as to advertising and competitive bidding, make all purchases and sales of materials, supplies and equipment and contract for the rental or servicing of equipment for the County, except as otherwise provided in this Charter or the Administrative Code. The Purchasing Director shall not contract for or furnish any services, equipment or other articles except upon receipt of authorized requisitions and certifications as to the availability of funds. The Erie County Purchasing Act, being chapter one hundred sixty seven of the laws of nineteen hundred seventeen as amended, is hereby repealed as of January first, nineteen hundred sixty one. Amended by Local Law No. 5 1980.

Section 10.

Article 3 of the Erie County Charter is hereby amended as follows:

Section 310. Division of Information and Support Services.

1. There shall be in the office of the County Executive a Division of Information and Support Services, headed by a Chief Information Officer who shall be appointed by and serve at the pleasure of the County Executive. The Chief Information Officer shall provide such information and support services as provided for in the Administrative Code and shall operate such other central facilities as may be established by the County Executive within the appropriations provided there for.
2. Within the Division of Information and Support Service there shall be an Office of Information Technology, headed by the Director of Information Technology who shall be appointed by and serve at the pleasure of the County Executive. The Director shall be a person meeting such qualifications as may be set out in this Charter or in the Administrative Code at the time of his or her appointment. The Director shall perform such information technology services as provided for in the Administration Code.
3. Subject to the approval of the County Legislature, the County Executive may enter into a contract with the federal government, state government or any municipal corporation to provide information technology services to such governments or units of government.

Section 11.

Article 5 of the Erie County Charter is hereby amended as follows:

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| Section | 501. | County Health District and Department; Commissioner; qualifications; appointment and term. |
| | 502. | Powers and duties of the Commissioner. |
| | 503. | Board of Health. |
| | 504. | Sanitary Code. |
| | 505. | County Laboratory District; County Laboratory; Director. |
| | 506. | Division of Services to Persons with Special Needs; Director. |
| | 507. | Powers and duties of the Division of Emergency Medical Services. |
| | 508. | Division of Emergency Medical Services. |

Section 12.

Article 5 of the Erie County Charter is hereby amended as follows:

Section 502. Powers and duties of the Commissioner. Except as otherwise provided in this Charter, the Commissioner of Health shall have all the powers and perform all the duties conferred or imposed upon county health commissioners and/or county boards of health by law.

The Commissioner of Health shall perform such additional and related duties as the County Executive may prescribe.

Section 13.

Article 5 of the Erie County Charter is hereby amended as follows:

Section 505. County Laboratory District; County Laboratory; Director. The County, including the cities, towns, villages and special districts situated therein shall continue to be a county laboratory district. There shall be in the Department an Erie County Laboratory headed by a Director. The Commissioner of Health shall appoint as Laboratory Director a person who shall possess such qualifications as may be prescribed by the Public Health and Health Planning Council of the State of New York for a clinical laboratory director. Such appointments shall be for the term or balance thereof of the Commissioner making such appointment.

The Director shall exercise all the powers and duties heretofore or hereafter conferred or imposed upon him by the County Charter, by the Administrative Code, by order or direction of the Commissioner of Health and by any applicable act of the Legislature not inconsistent with the County Charter or the Administrative Code. Such powers and duties shall include but shall not be limited to any power or duty conferred or imposed upon a county laboratory board and the director of a county laboratory district by the Public Health Law or other applicable law.

The Director shall be responsible for the serological, bacteriological and other public health laboratory work for the County Laboratory District, as required by the Health Commissioner. Except as otherwise provided in this Charter, the Director shall exercise all powers and perform all duties of a county laboratory board.

Section 14.

Article 5 of the Erie County Charter is hereby amended as follows:

Section 506. Division of Services to Persons with Special Needs; Director. There shall be in the Department a Division of Services to Persons with Special Needs, headed by a Director. The Director shall be appointed by the Commissioner and serve at the Commissioner's pleasure. The Director shall insure the continuance of beneficial programs and implement additional services in the County for youths with special developmental needs.

Section 15.

Article 5 of the Erie County Charter is hereby amended by adding Sections 507 and 508 as follows:

Section 507. Powers and duties of the Division of Emergency Medical Services. The Deputy Commissioner of Emergency Medical Services shall have and exercise all the powers and duties granted or imposed by the laws of the state of New York upon a county director of emergency medical services, a county fire coordinator, a county director of civil defense and a county director of disaster preparedness and all the duties heretofore or hereafter lawfully granted or imposed by the county charter, by this code, by local law, ordinance or resolution of the county

legislature, by order or direction of the county executive, or by applicable provision of any act of the state legislature not inconsistent with the county charter or this code.

Section 508. Division of Emergency Medical Services

There shall be within the Department a Division of Emergency Medical Services which shall be headed by a Deputy Commissioner who shall be appointed by the county executive, subject to confirmation by the county legislature, to serve at the pleasure of the county executive. The Deputy Commissioner of Emergency Medical Services shall maintain advanced life support response readiness as outlined by article 30 of the public health law; maintain pre-hospital educational initiatives; initiate coordination of mass casualty incidents and large scale planned events; coordinate public health preparedness planning and response of emergencies.

Section 16.

Article 6 of the Erie County Charter is hereby amended as follows:

Section 601. Department of Law; County Attorney. There shall be a Department of Law headed by the County Attorney, who shall be appointed by the County Executive subject to confirmation by the County Legislature. The County Attorney shall be a member in good standing of the bar of the State of New York.

Section 602. Powers and duties. The County Attorney shall be the legal advisor for the County and, on its behalf in County matters, of its officers and administrative units. The County Attorney shall, in all County legal matters of a civil nature, advise all County officers and employees and, where in the interest of the County, prepare all necessary papers and written instruments in connection therewith, prosecute or defend all actions or proceedings of a civil nature brought by or against the County; prepare resolutions, ordinances, legalizing acts and local laws to be presented for action by the County Legislature, together with notices and other items in connection therewith; and perform such additional and related duties as may be prescribed by law, by the County Executive or by resolution of the County Legislature.

Section 17.

Article 9 of the Erie County Charter is hereby amended as follows:

Section	901.	Department of Personnel; Commissioner; Divisions.
	902.	Powers and duties.
	903.	Division of Personnel Services.
	904.	Division of Civil Service Administration.

Section 901. Department of Personnel; Commissioner; divisions. There shall be a Department of Personnel headed by a Commissioner, who shall be appointed by the County Executive subject to confirmation by the County Legislature for a term of six years. Within such departments there shall be a Division of Personnel Services and a Division of Civil Service Administration and Enforcement.

Section 902. Powers and duties.

Except as otherwise provided in this Charter, the Personnel Commissioner shall:

- (a) With reference to the civil service of the County, have the powers and duties of a county municipal civil service commission as provided by the Civil Service Law, and, the Commissioner of Personnel shall be subject to supervision and control by the State Civil Service Commission as are county civil service commissions, as are county personnel officers.
- (b) Enforce all countywide Policies and Procedures for County Employees.
- (c) Foster and develop programs for the improvement of employee effectiveness, including programs for training and development, safety, health and counseling, with a focus on opportunities for the promotion of minorities, women, veterans and individuals with disabilities.
- (d) Perform such other and related duties as shall be required or delegated to the Commissioner by the County Executive or the County Legislature.

Section 903. Division of Personnel Services.

The Division of Personnel Services shall be responsible for the presentation, implementation, and management of employee benefits for all County employees in accordance with County policy and the appropriate collective bargaining agreement, if applicable.

Section 904. Division of Civil Service Administration.

The Division of Civil Service Administration shall be responsible for administering and enforcing the provisions of Civil Service Law within Erie County.

Section 18.

Article 10 of the Erie County Charter is hereby amended as follows:

Section 1001. Department of Environment and Planning; Commissioner; qualifications. There shall be a Department of Environment and Planning headed by a Commissioner. The Commissioner shall be appointed by the County Executive, subject to confirmation by the County Legislature. The Commissioner shall possess not less than a baccalaureate degree in an appropriate subject field and suitable experience in private or public administration and environmental resource programs or regional, county or municipal planning.

Section 19.

Section 1002. Powers and duties of Commissioner. The Commissioner of Environment and Planning shall have the following powers and duties:

1. The Commissioner shall administer the planning, environmental compliance, drainage, flood control, solid waste management, sewerage planning, construction and management functions vested in the executive branch of the County government, provided, however, that this provision shall not be deemed to restrict the powers or duties of any administrative body appointed, designated, or

established in accordance with article five a of the County law and the Erie County Charter and Administrative Code.

2. The Commissioner shall head the Department of Environment and Planning, supervise and direct its officers and employees, and make such assignments of powers and duties among them as the Commissioner may consider advisable.
3. The Commissioner may promulgate, administer, enforce and amend a county environmental quality code, pursuant to this Article.
4. The Commissioner may, if authorized to do so by appropriate federal or state authorities, administer or enforce federal or state laws, rules, regulations, orders or programs in relation to the control, enhancement and preservation of environmental resources.
5. The Commissioner shall advertise and call for bids on the construction of each sewer project of the County and such other projects as may be assigned to this department by the County Legislature, open such bids publicly, tabulate them and submit recommendations with respect thereto to the County Legislature and County Executive.
6. The Commissioner shall have such additional powers and duties as may be prescribed by law, regulation, and the County Executive.
7. The Commissioner shall have all powers necessary or proper to the exercise of any of the duties or functions of the Commissioner of the Department of Environment and Planning.

Section 20.

Article 10 of the Erie County Charter is hereby amended as follows:

Section 1003. County environmental quality code. To the extent applicable to the control and enhancement of the quality, use or enjoyment of air and water resources, the authority conferred upon a board of health by the Public Health Law to formulate, promulgate, adopt, publish and enforce rules, regulations, orders and directions for the security of life and health to be known as a sanitary code may be exercised by the Commissioner of Environment and Planning in formulating, promulgating, adopting, publishing and enforcing an environmental quality code. The Commissioner may also promulgate such other and additional rules and regulations as the Commissioner shall consider appropriate to enhance the quality, use and enjoyment of air, water and other resources within the County, in furtherance of public health, safety, and welfare. This shall not be deemed to limit the authority of the Commissioner of Health or the Board of Health to promulgate such additional regulations for the security of life and health as may be necessary. Before adopting any provision or amendment of the County environmental quality code, the Commissioner shall conduct a public hearing, pursuant to the procedures set forth in section 9.06(a) of the Erie County Administrative Code. Following such public hearing, if the Commissioner's decision is to adopt said proposed code or amendment, the Commissioner file a copy of the said preliminary decision with the Clerk of the Legislature. If the County Legislature

shall so direct, pursuant to section 9.06(a) of the Erie County administrative code, the Commissioner shall conduct a second public hearing.

Nothing in this section shall be construed to mean that the Commissioner must promulgate or enforce such rules, regulations, orders and directions except as the Commissioner has the necessary staff and funds to do so.

Section 21.

Article 10, Section 1004(3) of the Erie County Charter is hereby amended as follows:

Section 1004.3. Powers, duties and functions of the Council. The Council shall review and investigate ecologically sound methods of planning the use of the County's resources. In conjunction with the Deputy Commissioner of Environmental Compliance it shall prepare an annual recommendations report based on that investigation, and transmit same to the County Executive and the Legislature. The report shall include a section on the needs of those living in areas of urban or rural poverty where the impact of environmental degradation may be more severe.

The Council shall keep an index of all open areas within the County, with the plan of obtaining information pertinent to sound ecological utilization of such areas including land owned by any municipality within the County. It shall keep an index of all wetlands, open marsh lands, swamps, and all other wet lands in a like manner, and may recommend a program for their ecologically suitable utilization. The Council shall develop and maintain an inventory of natural resources within the County and such other environmental information as may be appropriate. Said inventory shall include wetlands and open spaces and may include, but not be limited to, factors relating to geology, soils, slope, water resources, vegetation, wildlife habitat unique natural areas, and scenic, historic, and archaeological sites.

The Council shall advise and make recommendations to the County Executive and the Legislature as they may director as may be deemed appropriate on matters affecting the preservation development, and use of the natural and human made features and conditions of the County insofar as they have a bearing on environmental quality and on the effects of human activities and development on environmental quality.

The Council shall develop, recommend and assist in the conduct of a program of public information in the County which shall be designed to increase understanding of the environmental problems and issues and to foster support for their solutions.

The Council shall develop, recommend and assist in the conduct of a program to improve the coordination and effectiveness of public and private projects and activities in the County in accord with the purposes of this law, working in cooperation with the environmental or conservation commissions in the cities, towns, and villages within the County and with other public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.

The Council shall maintain liaison with the county planning board, local and regional planning agencies, regional water resources planning and development boards, environmental management councils or their equivalents in counties adjacent to the County of Erie, and other such public and private regional bodies in the United States and Canada affecting the conservation of environmental quality, with the purpose of improving coordination of planning activities.

Section 22.

Article 11 of the Erie County Charter is hereby amended as follows:

Section 1101. Department of Public Works; Commissioner; Qualifications. There shall be a Department of Public Works headed by a Commissioner. The Commissioner shall be appointed by the County Executive, subject to confirmation by the County Legislature and shall be a professional engineer licensed and registered by the State of New York.

Section 23.

Article 12 of the Erie County Charter is hereby amended as follows:

Section 1201. Department of Social Services; Commissioner; County Welfare Act repealed. There shall be a Department of Social Services headed by a Commissioner who shall be appointed by the County Executive subject to confirmation by the County Legislature for a five-year term. The Erie County Social Welfare Act, being chapter twenty-eight of the laws of nineteen hundred thirty-eight as amended, is hereby repealed as of January first, nineteen hundred sixty-one.

Section 24.

Article 12 of the Erie County Charter is hereby amended as follows:

Section 1202. Powers and duties of the Commissioner. Except as otherwise provided in this Charter, the Commissioner of Social Services shall have all the powers and perform all the duties conferred on or required of a county commissioner of public welfare under the Social Services Law or other applicable law and perform such additional and related duties as the County Executive may prescribe.

Section 25.

Article 13 of the Erie County Charter is hereby amended as follows:

Section 1301. Department of Mental Health; Commissioner. There shall be a Department of Mental Health, the head of which shall be the Commissioner of Mental Health. The Commissioner shall be appointed by the County Executive subject to confirmation by the County Legislature. The Commissioner shall meet the qualifications required of directors of community service by the State Office of Mental Health and in existence at the time of the Commissioner's appointment. The credentials of a candidate for appointment to the position of Commissioner shall be submitted to the New York State Inter-Office Coordinating Council ("IOCC") for review pursuant to the procedures promulgated by the IOCC at the time of such submission.

Section 26.

Article 13 of the Erie County Charter is hereby amended as follows:

Section 1302. Powers and duties. Except as otherwise provided in this Charter, the Commissioner of Mental Health shall have all the powers and perform all the duties conferred or imposed upon directors of mental health and/or community health boards by law. The Commissioner shall perform all duties with respect to child mental health services. The Commissioner or the Commissioner's designee shall serve as the Director of Community Services prescribed by Mental Hygiene Law §41.09. The Commissioner shall perform such additional and related duties as the County Executive may prescribe.

Section 27.

Article 14 of the Erie County Charter is hereby amended as follows:

Section 1401. Department established; Commissioner of Homeland Security and Emergency Services. There shall be a Department of Homeland Security and Emergency Services, the head of which shall be the Commissioner of Homeland Security and Emergency Services. The Commissioner shall be appointed by the County Executive subject to confirmation by the County Legislature to serve at the pleasure of the County Executive.

Section 28.

Article 14 of the Erie County Administrative Code is hereby amended as follows:

Section	14.01	Organization.
	14.02	Division of fire safety.
	14.03	Division of homeland security/disaster preparedness.
	14.04	Absence, disability or vacancy.
	14.05	Advisory boards.

Section 14.01 Organization.

The department of homeland security and emergency services shall be headed by a commissioner who shall organize the department, under the supervision of the county executive, into:

1. a division of fire safety;
2. a division of civil defense/disaster preparedness.

Section 14.02 Division of fire safety.

The division of fire safety shall be headed by a deputy commissioner who shall be appointed by the county executive, subject to confirmation by the county legislature, to serve at the pleasure of the county executive. The deputy commissioner of fire safety shall, when so directed by the commissioner, have and exercise any or all of the powers and duties vested in and imposed upon

a county fire coordinator by the laws of the state of New York and any related powers and duties heretofore or hereafter lawfully granted or imposed by the county charter, by this code, by local law, ordinance or resolution of the county legislature, by order or direction of the county executive, or by applicable provision of any act of the state legislature not inconsistent with the county charter or this code.

Section 14.03 Division of homeland security/disaster preparedness.

The division of homeland security/disaster preparedness shall be headed by a deputy commissioner who shall be appointed by the county executive, subject to confirmation by the county legislature, to serve at the pleasure of the county executive. The deputy commissioner of homeland security/disaster preparedness shall, when so directed by the commissioner: have and exercise any or all of the powers and duties vested in and imposed upon a local director of civil defense under the New York state defense emergency act; develop, make public and regularly amend a county disaster preparedness plan, in accordance with article two B of the executive law, for the coordination of emergency services in the event of natural or other disaster or emergency; coordinate the provision of disaster and emergency assistance by local disaster preparedness and civil defense forces in the event such assistance is requested by the chief executive of any city, town or village within the county; have and exercise any related powers and duties heretofore or hereafter lawfully granted or imposed by the county charter, by this code, by local law, ordinance or resolution of the county legislature, by order or direction of the county executive, or by applicable provision of any act of the state legislature not inconsistent with the county charter or this code.

Section 14.04 Absence, disability or vacancy.

The commissioner shall designate in a writing filed in the office of the Erie county clerk the relative rank of the deputy commissioners, including: the order in which each is to temporarily succeed to the duties of the commissioner during her or his absence or disability or in the event of a vacancy in such office, and; the order in which each deputy commissioner is to temporarily succeed to the duties of any other deputy commissioner during the absence or disability, or in the event of a vacancy in the office, of such other deputy commissioner.

Section 14.05 Advisory boards.

The county executive shall appoint the following advisory boards:

1. Emergency medical services advisory board: This board shall be composed of no fewer than fifteen and no more than twenty five members appointed by the county executive for two year terms. One third of the members shall be active members of volunteer fire companies operating rescue squads or ambulance services and the remaining membership shall be elected officials or their representatives, representatives of ambulance services, hospitals, fire department emergency and rescue squads, public health officers and other agencies, organizations or citizens involved in the planning or provision of emergency medical services. The county executive shall designate one of the members to serve as chairman. It will be the duty of such board to cooperate with the state health departments bureau of emergency medical services in effectuating the purposes for which the bureau was established in relation to programs for emergency medical services; to act as an advisory board to the county executive, the county legislature, the commissioner of

emergency services and the deputy commissioner of emergency medical services in connection with county establishment and maintenance of a county emergency medical services and mutual aid program for medical and other emergencies in which the services of emergency medical personnel would be used. Members of such board shall be county officers and shall serve without compensation.

2. Fire Advisory Board: This board shall be composed of twenty-five (25) members appointed by the County Executive for two years. At least eight of the members shall be active or exempt members of volunteer fire companies. It shall be the duty of such board to cooperate with the state office of fire prevention and control in effectuating the purposes for which the office was established in relation to programs for fire training and mutual aid; to act as an advisory body to the county executive, the county legislature, the commissioner of emergency services and the deputy commissioner of fire safety in connection with county participation in programs for fire training and mutual aid, county establishment and maintenance of a county fire training school and mutual aid programs for fire and other emergencies in which the services of firemen would be used; and to perform such other duties as the county executive, the county legislature, the commissioner of emergency services or the deputy commissioner of fire safety may prescribe in relation to fire training and mutual aid for fire and other emergencies in which the services of firemen would be used; and to perform such other duties as the county executive, the county legislature, the commissioner of emergency services or the deputy commissioner of fire safety may prescribe in relation to fire training and mutual aid for fire and other emergencies in which the services of firemen would be used. The members of such board shall be county officers and shall serve without compensation. The terms of the office of the incumbent members of the fire advisory board shall continue for the periods for which such members shall have been appointed.
3. Civil defense/disaster preparedness advisory board: This board shall be composed of no fewer than fifteen and no more than twenty five members who shall be appointed by the county executive for two year terms. One third of the members shall be active members of voluntary fire companies and the remainder shall be elected officials or their representatives, representatives of organizations involved in civil defense and disaster preparedness and other citizens of the county. The commissioner of environment and planning, the sheriff, the commissioner of public works and the commissioner of health shall be ex officio members. The county executive shall designate one of the members to serve as chairman. It shall be the duty of such board to cooperate with the state civil defense commission and the state natural disasters commission in effectuating the purposes for which the commissions were established in relation to programs for civil defense and disaster preparedness; to act as an advisory board to the county executive, the county legislature, the commissioner of emergency services and the deputy commissioner of civil defense/disaster preparedness in connection with county participation in programs for civil defense and disaster preparedness, county establishment and maintenance of county civil defense and disaster preparedness plans and programs for natural or other disasters or emergencies in which the services of civil defense forces or emergency personnel would be used; to perform such other duties as the

county executive, the county legislature, the commissioner of emergency services or the deputy commissioner of civil defense/disaster preparedness may prescribe in relation to civil defense and disaster preparedness programs for natural or other disasters or emergencies in which the services of emergency personnel would be used. The members of such board shall be county officers and shall serve without compensation.

The chairman of the emergency medical services advisory board, the fire advisory board and the civil defense/disaster preparedness advisory board shall each designate a member of their respective advisory boards, or themselves, to form a four member steering committee to act as a liaison between the county executive, the county legislature and the commissioner of emergency services relative to the coordination and development of plans and programs for emergency medical services, fire safety, civil defense and disaster preparedness purposes. The fourth member of the steering committee shall be appointed by the county executive and shall serve as the chairman thereof.

d. In lieu of the advisory boards set forth in subdivisions a, b and c above, the county executive may appoint a homeland security/emergency advisory board as follows:

(1) The board shall be composed of no fewer than seven (7) and no more than fifteen (15) members appointed by the county executive for three (3) year terms in accordance with the county charter. One third of the members shall be active members of volunteer fire service. There will be members from the following disciplines: the fire service, emergency medical service, emergency management, law enforcement and dispatch communications. It will be the duty of such board to cooperate with the state health department's bureau of emergency medical services in effectuating the purposes for which the bureau was established in relation to programs for emergency medical services, to cooperate with the state office of fire prevention and control in effectuating the purposes for which the office was established in relation to programs for fire training and mutual aid, participation in programs for fire training and mutual aid, county establishment and maintenance of a county fire training school and mutual aid programs for fire and other emergencies in which the services of firefighter would be used, to cooperate with the state civil defense commission/State Department of Homeland Security and Emergency Services and the state natural disasters commission in effectuating the purposes for which the commissions were established in relation to programs for civil defense and disaster preparedness, to act as an advisory board to the county executive, the county legislature, the commissioner of homeland security and emergency services and the deputy commissioners of homeland security/disaster preparedness, in connection with county participation in programs for homeland security and disaster preparedness, county establishment and maintenance of county homeland security and disaster preparedness plans and programs for acts of terrorism and natural disasters or emergencies in which the services of civil defense forces or emergency personnel would be used; to perform such other duties as the county executive, the county legislature, the commissioner of homeland security and emergency services or the deputy commissioners of emergency medical services, fire-safety, or homeland security/disaster preparedness. The commissioner of environment and planning, the sheriff, the commissioner of public works and the commissioner of health shall be ex officio members. The members of such board shall serve without compensation.

(2) The commissioner of homeland security and emergency services shall designate one member each from the following disciplines, the fire service, emergency medical services, law

enforcement and dispatch communications to form a steering committee to act as a liaison between the county executive, the legislature and the commissioner of homeland security and emergency services.

Section 29.

Article 15 of the Erie County Charter is hereby amended as follows:

Section 1501. Department of Central Police Services; Commissioner. There shall be a Department of Central Police Services, the head of which shall be the Commissioner of Central Police Services. The Commissioner shall be appointed by the County Executive, subject to confirmation by the County Legislature, from a list of candidates provided by the Central Services Board of Trustees. The list shall name six qualified candidates including at least one female candidate and at least one candidate from an under-represented minority group. Should the Central Police Services Board of Trustees be unable to identify qualified candidates who meet the description herein, they shall submit a list of qualified candidates in such quantity and demographic as may be identified and available at the time of the vacancy or impending vacancy in the Office of the Commissioner. The Commissioner shall serve at the pleasure of the County Executive.

Section 28.

Article 16 of the Erie County Charter is hereby amended by being retitled "Article 16 – Department for the Aging" and as follows:

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| Section | 1601. | Department for the Aging; Commissioner. |
| | 1602. | Powers and duties. |
| | 1603. | Advisory board. |

Section 1601. Department for the Aging; Commissioner. There shall be a Department for the Aging, the head of which shall be the Commissioner. The Commissioner of said department shall be appointed by and shall serve at the pleasure of the County Executive.

Section 1602. Powers and duties. The Commissioner of the department shall:

1. Act as a local administrative officer for planning and coordination of services for older adults in cooperation with the County Executive and the County Legislature;
2. Serve as an advocate in order to make existing service systems more effective and accessible to older adults;
3. Assess the future needs of older adults to insure the continuance of beneficial programs and to implement additional services according to need and demographics including handicapped and disabled older adults;

4. Apply for such federal and state funds and grants as may be beneficial to older adult programs;
5. Function as a coordinator with the cities, towns and villages within the County for community based systems for older adults;
6. Gather and disseminate information relating to the needs of the aging and inform the public through an awareness program of the services and facilities available older adults;
7. Initiate and monitor programs to preserve the safety of older adults with respect to transportation services and crime prevention;
8. Perform such further duties as may be prescribed or directed by the County Executive or the County Legislature.

Section 1603. Advisory board. There shall be established an advisory board to the Department for the Aging.

Section 29.

Article 17 of the Erie County Charter is hereby amended as follows:

Section 1701. Department of Public Advocacy. There shall be an Department of Public Advocacy, the head of which shall be the Commissioner. The Commissioner of said Department shall be appointed by and shall serve at the pleasure of the County Executive, subject to approval of the County Legislature. The Commissioner of the Department shall:

1. Serve in the capacity of countywide public advocate for all residents of Erie County, overseeing the day-to-day operations of the Division of Equal Employment Opportunity, Division on the Status of Women, Division for the Disabled and Consumer Protection Committee;
2. Report to the County Executive and the Legislature on an annual basis on all activities related to fulfilling the obligations of the Department of Public Advocacy.

Section 30.

Article 17 of the Erie County Charter is hereby amended as follows:

Section 1705. Advisory Board to Division on the Status of Women. There shall be an Advisory Board. The Board shall consist of nine to fifteen members to be appointed by the County Executive subject to confirmation by the County Legislature. The County Executive shall appoint to the Board at least two persons recommended by each of the majority and minority leaders of the Legislature.

Nominations for the remaining positions shall be actively solicited from groups which represent and are active in the area of women's concerns. The Departments of Health, Mental Health, Senior Services, Social Services, Youth Services, and the Equal Employment Opportunity Office

shall each designate one person to serve as an ex-officio non-voting member of the Board. The membership of the Board shall reflect the diversity of women and their concerns in Erie County.

No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each.

The Board shall annually designate one member to serve as Commission chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the Board shall appoint a successor to that office from the Board's membership.

The County Executive shall require any county department, division, board, council, committee, authority or agency, or other unit to provide such facilities, assistance and data as will enable the commission to properly effectuate its powers and duties under this article.

Section 31.

Article 18 of the Erie County Charter is hereby amended as follows:

Section	1801.	Election; Comptroller's Act Repealed.
	1802.	Powers and duties.
	1803.	Miscellaneous.

Section 32.

Article 18 of the Erie County Charter is hereby amended as follows:

Section 1801. Election; Comptroller's Act repealed. There shall be a County Comptroller who shall be elected from the County at large. The County Comptroller's term of office shall begin with the first day of January next following the County Comptroller's election and shall be for four years. At the time of the County Comptroller's election and throughout term of office the Comptroller shall be a qualified elector of the County. The Comptroller shall devote the Comptroller's whole time to the duties of the County Comptroller's office and shall hold no other public office. The Erie County Comptroller's Act, being chapter four hundred twenty three of the laws of nineteen hundred thirty-nine as amended, is hereby repealed, as of January first, nineteen hundred sixty-one.

Section 33.

Article 18, Section 1802(3) of the Erie County Charter is hereby amended as follows:

3. Examine all requisitions for the encumbering of funds for the expenditure of which the county is responsible. After such examination, certify as to the availability of funds for all capital projects .

Section 34.

Article 18, Section 1802(19) of the Erie County Charter is hereby amended as follows:

19. Have custody of all accounts and be solely responsible for the investment of all funds maintained by the County and its officers and agents.

Section 35.

Article 18, Section 1802 of the Erie County Charter is hereby amended by creating a new subsection 21:

21. Be designated as an authorized signatory on all bank accounts bearing the county's tax identification number.

Section 36.

Article 18 of the Erie County Charter is hereby amended by creating a new Section 1803 as follows:

Section 1803. Miscellaneous. Other than those powers assigned to the Department of Real Property Tax services specifically pursuant to section 402, any reference to "County Treasurer" in state or county law shall be assumed to mean "County Comptroller."

Section 37.

Article 19 of the Erie County Charter is hereby amended as follows:

Section 1901. Election. There shall be a County Clerk who shall be elected from the County at large. The County Clerk's term of office shall begin with the first day of January next following the County Clerk's election, and shall be for four years except as otherwise provided in this Charter. At the time of the County Clerk's election and throughout the County Clerk's term of office the Clerk shall be a qualified elector of the County. The Clerk shall devote the County Clerk's whole time to the duties of the County Clerk's office and shall hold no other public office.

Section 1902. Powers and duties. Except wherein consistent with this Charter, the County Clerk shall have and exercise all powers and duties now or hereafter conferred or imposed upon him or her by any applicable law. The Clerk shall perform such additional and related duties as may be prescribed by local law.

Section 38.

Article 20 of the Erie County Charter is hereby amended as follows:

Section 2001. Election. There shall be a District Attorney who shall be elected from the County at large. The District Attorney's term of office shall begin with the first day of January next following the District Attorney's election, and shall be for four years except as otherwise provided in this Charter. At the time of the District Attorney's election and throughout the District Attorney's term of office the District Attorney shall be a qualified elector of the County. The District Attorney shall devote the District Attorney's whole time to the duties of the District Attorney's office and shall hold no other public office.

Section 2002. Powers and duties. The District Attorney shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by any applicable law. The District Attorney shall perform such additional and related duties as may be prescribed by local law.

Section 39.

Article 21 of the Erie County Charter is hereby amended as follows:

Section 2101. Election. There shall be a Sheriff who shall be elected from the County at large. The Sheriff's term of office shall begin with the first day of January next following the Sheriff's election and shall be for four years except as otherwise provided in this Charter. At the time of the Sheriff's election and throughout the Sheriff's term of office the Sheriff shall be a qualified elector of the County. The Sheriff shall devote the Sheriff's whole time to the duties of the Sheriff's office and shall hold no other public office.

Section 2102. Powers and duties. The Sheriff shall have and exercise all powers and duties now or hereafter conferred or imposed upon him by any applicable law. The Sheriff shall perform such additional and related duties as may be prescribed by local law.

Section 40.

Article 22 of the Erie County Charter is hereby amended as follows:

Section 2203. Department of Probation. There shall be a Department of Probation headed by a Commissioner who shall be appointed by the County Executive, subject to confirmation by the County Legislature. Probation Administrators, Officers and Supervisors staffing the Probation Department shall be New York State Certified Peace Officers and have met the mandated training requirement of a Probation Officer as required by law and as specified by the New York Department of Criminal Justice Service and shall be appointed under the provisions of New York Civil Service Law.

Section 41.

Article 22, Section 2205 of the Erie County Charter is hereby amended as follows:

Section 2205. Advisory boards. To better fulfill the purpose, responsibilities and goals of each department of the County, or comply with the requirements of NYS law, citizens' advisory boards may be established. Unless otherwise stipulated elsewhere in this charter, the Erie County Administrative Code, or through NYS law, advisory boards for Erie County shall be constituted as follows:

1. New advisory boards may be established by the County Executive or the County Legislature. For each new board, the relevant department will provide a statement of purpose and objectives for approval by the creating authority.
2. Advisory boards shall consist of an odd number of members, at least seven and at most fifteen. Members shall be residents of Erie County. Each board should have criteria for membership to ensure broad representation, including seats for subject matter experts, relevant community representatives, and individuals from underrepresented populations.

3. Members shall be appointed by the creating authority. For each advisory board, the process shall include a public call for applications with public notice of the application requirements.
4. Members shall serve three-year terms.
5. The creating authority shall fill any vacancies through a public application process opened within sixty days. If a member leaves a board before the end of his or her term, the replacement shall serve for the duration of the term; if the time remaining in the term is less than eighteen months, the replacement shall still be eligible for two consecutive full terms at the conclusion of the partial one.
6. Each advisory board shall elect one of its members to serve a two-year term as chair; no chair may serve more than two consecutive terms.
7. Advisory boards shall meet at least six times per year, and meetings shall be held in compliance with the Open Meetings Law. If a board fails to hold the minimum number of meetings, the creating authority shall investigate why, and is authorized to remove an ineffective chair or any inactive members, or to recommend that the legislature abolish the board when deemed appropriate. Members with more than three unexcused absences within a year may be removed by the legislature.
8. Minutes of each advisory board meeting should be published within ten business days.
9. Each advisory board chair shall submit an annual report to the County Executive and the Legislature stating the board's accomplishments during the past year and plans for the upcoming year. Each advisory board should present their annual report publicly to the County Legislature to ensure oversight of their activities and efficacy.
10. Members of advisory boards shall serve without compensation. Members are required to complete an ethics acknowledgement form upon appointment and annually thereafter.
11. To further define their structure and procedures, each advisory board may adopt bylaws that are not in conflict with this section, subject to the approval of the creating authority.
12. Every effort shall be made to achieve diversity on advisory boards.

Section 42.

Article 25, Section 2504(2) of the Erie County Charter is hereby amended as follows:

2. Capital Projects Committee. To assist in the consideration of capital projects and the capital program, there shall be a Capital Projects Committee consisting of the County Executive, the Deputy County Executive, the Comptroller, the Budget Director, the Commissioner of the Department of Environment and Planning, the Commissioner of the Department of Parks and Recreation, the Commissioner of the Department of Public Works, and such other administrative heads as the County Executive may designate, and the following members of the County Legislature; the chair, the chair of the Finance and Management Committee, and the majority and minority leaders. The County Executive shall be solely responsible for the capital program and budget as submitted to the County Legislature and no members of the latter body shall be obliged to support any project by reason of membership on the Capital Projects Committee. The County Executive shall be the chair and the Budget Director shall be the vice chair of this committee.

Section 43.

Article 25, Section 2507(1) of the Erie County Charter is hereby amended as follows:

1. No County officer, employee, department or other administrative unit or subdivision thereof, or other spending agency shall, during a fiscal year, expend or contract to expend any money or incur any liability, or enter into any contract which, by its terms, involves the expenditure of money for any of the purposes for which provision is made in the budget in excess of the amounts appropriated for such fiscal year or for any other purpose, except as otherwise provided in this code or the local finance law. If one or more of the independently elected officials (Clerk, Comptroller, District Attorney, Sheriff) becomes aware of a deficit or impending deficit in the elected official's department, the elected official shall notify the Legislature immediately so that, subject to section 2510 of this Charter, remedial action can be taken. The unexpended balance of each appropriation, less the commitments outstanding at the close of the fiscal year for which it was made, shall lapse at the close of such fiscal year; provided that nothing herein contained shall be construed to require the lapsing of appropriations which may be or are required to be made for an indefinite period or which include state refunds, allocations or grants applicable to said appropriations pursuant to any other provisions of law; and provided further that nothing herein shall be construed to prevent the making of appropriations or contracts for the construction of permanent public improvements or works not to be completed during the fiscal year, or the acquisition of property therefor, or the establishment of bond or capital accounts, sinking funds or reserve funds, and each such appropriation, account or fund shall continue in force until the purpose for which it was made shall have been accomplished or shall have been abandoned by a two thirds vote of the County Legislature. Any contract, verbal or written, made in violation of this section shall be null and void.

Section 44.

Article 25 of the Erie County Charter is hereby amended as follows:

Section 2508. Adoption of budget.

1. The County Legislature after one or more public hearings thereon, may strike items of appropriation from the tentative budget or reduce items therein, excepting appropriations required by law or for debt service. The County Legislature after one or more hearings, may add items to or increase items in such budget, provided that such additions or increases are stated separately and distinctly. Decreases shall not require executive approval.
The report of the Budget Committee to the County Legislature concerning amendments to the County Executive's tentative budget shall be presented to the Legislature and laid on the table at least forty eight hours prior to the annual meeting for budget adoption as prescribed in this section.
Budget amendments proposed subsequent to the tabling of the Budget Committee report, or less than forty eight hours prior to the annual meeting, shall be considered separately with each line item voted on individually on the floor of the legislature.
2. If the budget is passed by the County Legislature with no additions or increases, such budget shall be deemed to have been adopted without any further action by the County Executive; if, however, the budget as passed by the County Legislature contains any such additions or increases, the same shall be presented by the Clerk of the Legislature to the

County Executive not later than the second business day after the sixth of December, for the County Executive's consideration of such additions or increases. If the County Executive approves all additions and increases, the County Executive shall affix the County Executive's signature to a statement thereof and return the budget and such statement to the Clerk of the Legislature. The budget, including the additions and increases as part thereof, shall then be deemed adopted.

3. The County Executive may object to any one or more of such added or increased items, and in such case shall append to the budget a statement of the added or increased items to which the County Executive objects with the reasons for the County Executive's objections, and shall return the budget with the County Executive's objections to the Clerk of the County Legislature who shall present the same to the County Legislature on or before the seventh business day after the sixth of December. The County Legislature shall thereupon enter the objections upon its journal and proceed to reconsider the additions and increases so objected to. If upon such reconsideration two thirds of all members of the County Legislature vote to approve such additions and increases, or any of them, the budget with any additions and increases so approved, together with any additions and increases not so objected to by the County Executive, shall be deemed adopted. If upon such reconsideration, two third of all members of the County Legislature fail to approve such additions and increases so objected to, the budget excluding such addition and increases shall be deemed adopted and any budgetary reductions made in contemplation of such excluded additions and increases shall revert back to their originally proposed funding levels.
4. If a budget with additions or increases is not returned by the County Executive to the Clerk of the Legislature with the County Executive's objections on or before the seventh business day after the sixth of December, it shall be deemed adopted.
5. If a budget has not been adopted, as herein provided, on or before the tenth business day after the sixth December in each year, then the tentative budget as submitted by the County Executive, plus all additions and increases to which the County Executive has failed to object, shall be the budget for the ensuing fiscal year.
6. Four copies of the budget as adopted shall be certified by the County Executive and by the Clerk of the County Legislature. One such copy shall be filed in the office of the County Executive, and one each in the offices of the County Comptroller, the Commissioner of Finance and the Clerk of the County Legislature. The budget as so certified shall be printed or otherwise reproduced and copies shall be made available.

Section 45.

Article 25 of the Erie County Charter is hereby amended as follows:

Section 2511. Appropriations; reductions and transfer after budget adoption.

Intent: it is determined that the maintenance of a balanced budget throughout the County's fiscal year is critical to the fiscal integrity of the county and is thus an important public objective. To this end, the County Executive shall recommend to the Legislature budgetary adjustments as are necessary to maintain a balanced budget on an ongoing basis.

If at any time during the fiscal year it appears, from cash flow projections or other generally accepted accounting principles, that the revenues available, as projected through the end of the

fiscal year, will be insufficient to meet either (a) the amounts appropriated, or (b) expenses anticipated to be incurred through the end of the fiscal year, such that the cumulative effect thereof is a projected year-end deficit in excess of fifty percent of the County's undesignated, unreserved fund balance as of the end of the immediately preceding fiscal year, the County Executive or the Comptroller shall submit a report to the Legislature setting forth the estimated amount of the deficit with appropriate details and explanations. Within seven days of the submission of such a report to the Legislature, the County Executive shall present a written proposal of actual remedies to overcome the deficit. The Comptroller shall provide the Legislature with written comments on the County Executive's proposed actions within seven days of the submission of the remedial proposal to the Legislature. The Legislature shall take under consideration the proposed remedial actions and comments presented by the Comptroller and take such action as it deems necessary to prevent or minimize the deficit. Should the Legislature fail to act within twenty-one days of presentation of the written proposal of remedial actions by the County Executive, the County Executive's proposal shall be deemed adopted. In the event the deficit is declared and remedial actions are taken by the County Executive and/ or the Legislature, no appropriation for debt service may be reduced and no appropriation may be reduced by more than the unencumbered balance thereof or below any amount required to be appropriated.

The County Executive may at any time during the fiscal year transfer part or all of the unencumbered appropriation balance between classifications of expenditures within the same administrative unit, provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer (1) would result in an increase exceeding fifty thousand dollars (\$50,000), or such larger amount as may be prescribed by local law, during the fiscal year in any one line item in the budget as adopted, or (2) would affect any salary rate or salary total. If the county executive requests in writing, the County Legislature by resolution effective immediately may transfer part or all of any unencumbered appropriation balance from one county administrative unit to another. But no transfer shall be made from appropriations for debt service, and no appropriation may be reduced below any amount required by law to be appropriated. On or before the 15th day of the following month the County Executive shall provide the Legislature a monthly report of all transfers made pursuant to this section.

Section 46.

Article 26 of the Erie County Charter is hereby amended as follows:

Section 2601. Administrative unit defined; administrative and advisory boards. "Administrative unit" shall mean any department, executive division, institution, office or other agency of County government except a bureau, division, section or other subordinate part of any of the foregoing. The Board of Trustees of the Buffalo and Erie County Public Library and the Board of Trustees of the Erie County Technical Institute shall continue to be administrative boards heading the respective administrative units. Every other board, all appointive members of which are appointed by the County Executive, shall be an advisory board. An advisory board shall have no administrative or appointive powers but, when requested by the County Executive, shall assist him or her in the recruitment of candidates to fill a vacant position as head of the respective administrative unit.

It shall be the duty of each advisory board to study conditions in its respective field, with particular reference to the policies and programs in Erie County, and to report its findings and recommendations to the County Executive, who shall forward the same together with any comments the County Executive may choose to make, to the County Legislature.

Section 47.

Article 26 of the Erie County Charter is hereby amended as follows:

Section 2602A. Amendments to contracts. No contract to which the County of Erie is a party, regardless of prior authorization granted to the County Executive or any other individual acting on behalf of the County, shall be amended to extend the stated term of the contract, including any explicit options to extend, in excess of six months beyond the terms stated in the original contract, without the approval of the Legislature.

Section 48.

Article 26 of the Erie County Charter is hereby amended as follows:

Section 2606. Filling vacancy in elective office of County Clerk, District Attorney or Sheriff. Pursuant to law, a vacancy, in the elective office of County Clerk, District Attorney or Sheriff shall be filled by the Governor by appointment, and the appointment shall continue until and including the thirty-first day of December succeeding the first annual election at which the vacancy can be filled by election.

Section 49.

Article 26 of the Erie County Charter is hereby amended as follows:

Section 2608. Charter revision commission. The Erie County Charter shall undergo a mandatory decennial review and the review shall commence by seating a Charter Review Commission by not before January 1, 2035 and not later than January 15, 2035, which shall report its recommendations to the Erie County Legislature no later than June 15, 2035.

Section 50.

Article 27 of the Erie County Charter is hereby amended as follows:

Section 2703. Terms of certain elective county officers. The terms of office for the county executive, comptroller, county clerk, district attorney and sheriff shall be four years, and the election of any such officer shall be in an odd numbered year, except that the office(s) of county clerk and district attorney shall be held in an even numbered year. Provided that any such officer elected in nineteen hundred sixty or nineteen hundred sixty two shall be elected for three years; and provided, further, that an interim election to fill the remainder of an unexpired term may be held in any year.

Section 51.

Effective Date: This Local Law shall become effective sixty (60) days from the filing with the Secretary of State.

Section 52.

STEPS FOLLOWING EFFECTIVE DATE.

1. The County Attorney shall renumber the articles, sections, and subsections of both the Erie County Charter and Erie County Administrative Code, as needed, to ensure that such articles, sections, and subsections are uniformly formatted and numbered and that all sections changed by this document or any other valid document are effectuated across the Charter.
2. The County Attorney shall prepare a revised Erie County Charter and a revised Article 14 of the Erie County Administrative Code which contain all additions to, repeals and amendments of, the Charter and the Administrative Code that are set forth in this Local Law. Such revised documents, which shall include the renumbering of articles provided by Subsection 1 above, shall be placed upon the desks of the members of the Legislature no later than sixty (60) days after the effective date of this Local Law. Such revised documents shall be posted on the Erie County website and transmitted to the Clerk of the Legislature.

Section 53.

Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Sponsor: Timothy Meyers