

Chapter 36, LOCAL LAWS, ADOPTION OF

[HISTORY: Adopted by the Board of Trustees of the Village of Horseheads 8-7-1975 as L.L. No. 3-1975. Amendments noted where applicable.]

§ 36-1. Public hearing.

- A. No local law shall be adopted by the Board of Trustees until a public hearing thereon has been held before the Board of Trustees at a place appointed, within the village, which is reasonably accessible and at a reasonable time so as to afford an opportunity for the public to be heard.
- B. The Board of Trustees shall, within ten (10) days after the presentation of a proposed local law to it, unless withdrawn, fix a day, time and place for a public hearing thereon, which public hearing shall take place not more than twenty (20) days later.^{EN(1)}

§ 36-2. Publication of notice.

The public hearing shall be held not less than three (3) days after public notice of the time, place and subject matter is given by the Village Clerk by causing a summary of the proposed local law to be published in the official or designated newspaper of the village. Proof of publication of such notice of a public hearing shall be filed in the office of the Village Clerk. Upon passage of a local law, the Village Clerk shall record in the minutes the names of the members of the Board of Trustees present and their respective votes.

§ 36-3. Procedure.

Only a member of the Village Board of Trustees may introduce a proposed local law. No such local law shall be passed until it shall have been in its final form and either upon the desks of the Trustees at least seven (7) days, exclusive of Sundays, prior to its passage, or mailed to each Trustee in a postpaid, properly addressed and sealed envelope in a post office or box of the United States Postal Service within the Village of Horseheads at least ten (10) days, exclusive of Sundays, prior to its passage, unless the Village Manager shall have certified as to the necessity for immediate passage of the local law and it being passed by the affirmative vote of at least two-thirds (2/3) of the entire Board of Trustees.

§ 36-4. Vote.

No local law shall be passed except by at least the affirmative vote of a majority of the total number of the Board of Trustees, i.e., three (3) members, unless otherwise required by law.

§ 36-5. When effective.

Unless otherwise specifically provided, an adopted local law shall become effective twenty (20) days after adoption or upon filing with the Secretary of State, whichever is sooner. In the case of a local law which is subject to a mandatory referendum, such local law shall be filed and become effective within five (5) days after its approval by the electors. Where such local law is subject to a permissive referendum and the petition requesting a referendum is filed, it shall become effective in the same manner as a local law subject to a mandatory referendum; however, where the proposed local law is subject to a permissive referendum and no petition is filed requesting the referendum, the local law shall be effective five (5) days after the time for filing of such petition shall have expired.

§ 36-6. Filing. EN(2)

Within twenty (20) days after a local law shall finally have been adopted, the Village Clerk shall file one (1) certified copy thereof in his or her office and one (1) certified copy with the Secretary of State.

Endnotes

1 (Popup - Popup)

Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

2 (Popup - Popup)

Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.