LEGAL NOTICE OF ENACTMENT OF VILLAGE OF FRANKLINVILLE LOCAL LAW NUMBER 2 OF 2024: ESTABLISHMENT OF VILLAGE JUSTICE COURT OF THE VILLAGE OF FRANKLINVILLE, AND

PLEASE TAKE NOTICE that the following Local Law was enacted by enacted by the Franklinville Village Board of Trustees on February 26, 2024:

Local Law No. 2 of the Year 2024

Establishment of the Village Justice Court of the Village of Franklinville

Village of Franklinville, New York

Be it enacted by the Village Board of Trustees of the Village of Franklinville, County of Cattaraugus and State of New York, to protect the health, safety and welfare of the residents of the Village of Franklinville, as follows:

Section 1:  TITLE

This local law shall be known and may be cited as the “Establishment of the Village Justice Court of the Village of Franklinville.”

Section 2:  Enabling Authority

New York Village Law § 3-301.

Section 3: Text of Law

Title XVII Village Justice Court.

Chapter 170 Establishment of the Village Justice Court.

§ 170.001 Purpose and Intent. The Franklinville Village Board of Trustees hereby finds and determines that the best interests of the Village, its residents and its property owners would be served by the establishment of the Village Justice Court, pursuant to New York Village Law § 3-301, having the powers and duties prescribed in the New York Uniform Justice Court Act. The Franklinville Village Board of Trustees further hereby finds and determines that the establishment of the Village Justice Court will better enable the Village to enforce its laws.

§ 170.002 Offices Established.

1. The Village Justice Court of the Village of Franklinville is hereby established.
2. There shall be one elected Village Justice for the Village of Franklinville for a term of two years. The Mayor shall appoint, subject to the approval of the Village Board of Trustees, an initial Village Justice who may serve until a Village Justice has been elected and qualified.
3. The Mayor shall appoint, subject to the approval of the Village Board of Trustees, one Associate Village Justice who shall serve when requested by the Village Justice or in the absence or inability of the Village Justice to serve. The term of the Village Justice shall for two years, to run concurrently with the term of the Village Justice.
4. The Village Justice and Associate Village Justice shall serve with compensation as determined by the Village Board of Trustees at its annual Organizational Meeting.

§ 170.003 Jurisdiction.

The Village Justice Court of the Village of Franklinville shall have such jurisdiction as is permitted by the New York Uniform Just Court Act and other laws of the State of New York, County of Cattaraugus and Village of Franklinville.

§ 170.003 Non-judicial Personnel.

 The Village Board of Trustees may appoint by Resolution such non-judicial employees or officers as may be required to discharge the powers and duties of a Village Justice Court in accordance with the procedures provided by law and to provide for the compensation of such employees or officers. The Village Board of Trustees is empowered to secure such systems and services as may be required for the operation and conduct of the Village Justice Court and to provide for the payment thereof in accordance with the law.

Section 4: permissive referendum

The enactment of this Local Law is subject to a Permissive Referendum pursuant to Article 9 of the New York Village Law.

Section 5: severability

If any section, subsection, subdivision, paragraph, clause or phrase in this local law, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this local law, or any part thereof.    The Franklinville Village Board of Trustees hereby declares that it would have enacted each section, subsection, subdivision, paragraph, sentence, clause, or phrase of this local law, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases may be declared invalid or unconstitutional.

Section 6: severability

This Local Law shall take effect upon filing with the New York State Secretary of State.

Patti Sage, Franklinville Village Clerk