

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

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

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

COPY

~~County~~

~~City~~

~~Town~~

~~Village~~

of MACHIAS

Local Law No. 1 of the year 2001

"A local law ABOLISHING THE OFFICES OF ELECTED ASSESSOR AND  
(Insert Title)  
ESTABLISHING THE POSITION OF A SINGLE APPOINTED  
ASSESSOR."

Be It enacted by the TOWN BOARD of the  
(Name of Legislative Body)

~~County~~

~~City~~

~~Town~~

~~Village~~

of MACHIAS

as follows:

SECTION 1. Local Law 1-1971 continuing the office of elected assessors is hereby repealed.

SECTION 2. Pursuant to Article 15-a of the Real Property Tax Law of the State of New York, from and after the effective date of this law, there shall be but one assessor, to be appointed by the Town Board as provided in said Article.

SECTION 3. Upon the establishment of the office of appointed assessor by this law, the terms of office of all assessors then in office shall terminate.

SECTION 4. This local law shall be subject to a permissive referendum and shall not take effect until at least forty-five (45) days after its adoption or until it has been approved by affirmative vote of a majority of the qualified electors of the Town voting on a proposition for its approval if within forty-five (45) days after its adoption there be filed with the Town Clerk a petition protesting against such local law pursuant to the provisions of Section 24 of the Municipal Home Rule Law.

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ 1-2001 of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ Machias \_\_\_\_\_ was duly passed by the \_\_\_\_\_ Town Board on October 15, 2001, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

(Seal)

Date: 12/16/01

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

STATE OF NEW YORK  
COUNTY OF Cattaraugus

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature DONALD J. SWANZ, ESQ.

Town Attorney

Title

~~County~~

~~City~~

Town

~~Village~~

of MASSACHUSETTS

Date: \_\_\_\_\_

***NOTICE OF PUBLIC HEARING***  
***TOWN OF MACHIAS, NEW YORK***

**PUBLIC NOTICE** is hereby given that there has been presented to the Town Board of the Town of Machias, Cattaraugus County, New York, Local Law No. 1 -2001 entitled "A LOCAL LAW ABOLISHING THE OFFICES OF ELECTED ASSESSOR AND ESTABLISHING THE POSITION OF A SINGLE APPOINTED ASSESSOR" and providing that Local Law No. 1-1971 continuing the office of elected assessors be repealed and after the effective date of this local law there shall be but one assessor to be appointed by the Town Board pursuant to the provisions of Sections 1522 of the Real Property Tax Law. This local law shall be subject to a permissive referendum as prescribed by Section 24 of the Municipal Home Rule Law.

**THEREFORE**, pursuant to statute, the Town Board of the Town of Machias will hold a public hearing on the Local Law No. 1-2001 at the Town Hall on Roszyk Hill Road in the Town of Machias, Cattaraugus County, New York at 7:00 P.M. on October 15<sup>th</sup>, 2001 at which time all interested persons will be heard.

DATED: October 1, 2001

Douglas A. Law, Supervisor

Gail L. Watkins, Town Clerk