

LOCAL LAW NO. 10-03
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CHARTER

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

Section I. Amendments to County Charter.

1. Section 2.05 (c) of the Chautauqua County Charter governing the County Legislature's policy-making authority is hereby amended as follows:

(c) To adopt general policy for County government including enacting, amending, or rescinding local laws, charter laws, legalizing acts or resolutions, except that local laws and resolutions may not supersede the enumerated powers of other County officials set forth in this Charter without a duly adopted Charter amendment. On at least an annual basis prior to the County Executive's preparation of the tentative budget, the County Legislature shall adopt by resolution programs, goals and objectives, as well as specific performance measures for those programs, goals and objectives, which shall be utilized in the formulation of the budget and in measuring the success of its implementation. Resolutions adopting programs, goals, objectives, and specific performance measures shall not be subject to veto by the County Executive.

2. Section 3.20 (b)(ii) of the Chautauqua County Charter governing the minimum time requirements for budget adoption to be provided in the County's administrative code is hereby amended as follows:

(ii) uniform financial procedures to be followed by all County officers and entities, with the following minimum time requirements in the budget adoption process:

- (1) Legislative programs, goals, objectives, and performance measures pursuant to County Charter Section 2.05 (c) – by June 15th;
- (2) Tentative budget – by September 25th.

3. Section 3.20 (c) of the Chautauqua County Charter governing the County Executive's authority to appoint heads of executive branch entities is hereby amended as follows:

(c) Exercise supervision and control of all executive branch entities, and shall prescribe, within budget appropriations, the staffing, internal organization and reorganization of such entities, including appointment of any heads of such entities, provided, however, that the appointment of the chief fiscal officer of the County shall be subject to confirmation by the

County Legislature. In this connection, the Executive shall have the power to determine who shall perform such duties and have such powers not otherwise clearly defined by the Charter.

4. Section 3.20 (f) of the Chautauqua County Charter governing the County Executive's preparation of the annual budget is hereby amended as follows:

(f) Be responsible for the preparation and submission to the County Legislature of the annual budget, and capital program, and to execute the same in accordance with the resolutions and appropriations made by the County Legislature. For this purpose, the Executive shall have the power to obtain estimates of revenue and expenditures from all County entities. The County Executive shall have the power to determine the portions of program appropriations expended for personnel, equipment, or contractual purposes, but may not transfer funds between program appropriations.

5. Section 3.30 (b) of the Chautauqua County Charter governing the veto authority of the County Executive is hereby amended as follows:

(b) VETO. If the legislative resolution is vetoed by the County Executive the County Executive shall so indicate in writing setting forth the County Executive's objections thereto and within ten (10) days after receipt of such resolution, return the original document to the Clerk of the County Legislature, with the County Executive's veto message attached. In the case of adoption of the annual budget, the County Executive shall have the power to veto specific items, which the County Legislature may have changed from the original budget proposal submitted by the County Executive, without the vetoing the entire budget.

6. Section 4.00 of the Chautauqua County Charter is hereby amended as follows:

Section 4.00 Other Elected Officers

There shall be other county officers elected to a specific term of office from the County at large as provided for in this Article. Elected county-wide officials specified in this Article shall make, sign, and implement all contracts utilizing funds appropriated for their use, except that a contract for: (1) the lease, sale, purchase, or transfer of real property, or (2) the provision of facilities or the rendering of services by or for any other government must be approved by the County Legislature. In lieu of individual approval of each contract described in (1) and (2) above, the County Legislature may adopt policies authorizing said elected county-wide officials to execute and implement classes of such contracts. Said elected county-wide officials shall have the power to delegate the making, signing, executing, and implementing of contracts to other County officers under their supervision. Said officials shall have the power to determine the portions of program appropriations expended for personnel, equipment, or contractual purposes, but may not transfer funds between program appropriation accounts.

Section II. Effective Date.

This Local Law shall take effect sixty (60) days after adoption, or upon approval by a majority of the qualified electors in the event a permissive referendum is held in accordance with Municipal Home Rule Law.

LAI	ON DESKS:	6/25/03	
ADO	PTED:	7/23/03	
PUBL	IC HEARING:	8/11/03	(60 Day Permissive Referendum)
FILE	D W/ STATE:	10/21/03	
ADO	PTED AS LOCAL LAW	10-03	