

LOCAL LAW NO. 12-08
CHAUTAUQUA COUNTY

A LOCAL LAW PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION
FOR DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK, AND
AUTHORIZING AN INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR
THE RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON
ANY INSTRUMENT

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

1. Declaration of Intent. In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of Section 8021 of the Civil Practice Law and Rules, the Chautauqua County Legislature authorizes and directs the Chautauqua County Clerk to increase the fees charged for certain documents recorded with the County Clerk's office, and to redact from online images certain private information that may appear in the cover page of any instrument.

2. Fees for Recording Documents. For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the Chautauqua County Clerk has placed an image of such cover page online, the county clerk shall make a good faith effort to redact such information.

3. Severability. If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

4. Effective Date. This local law shall take effect thirty days after filing in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Laid on Desks: 10/22/08

Adopted – Legislature – 11/19/08 - R/C Vote: 23 Yes; 1 No; 1 Absent (No: Hallquist)