

LOCAL LAW NO. 2-10  
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CODE OF ETHICS

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

1. Legislative History. The Chautauqua County Code of Ethics, as enacted by Local Law 3-90, and as amended by Local Law 5-91, Local Law 16-91, Local Law 3-93, Local Law 10-93, Local Law 7-94, Local Law 15-95, Local Law 7-98, Local Law 5-02, and Local Law 6-07 is hereby further amended.

2. Purpose. This local law amending the County of Chautauqua's Code of Ethics is necessary to allow the County to enter into a temporary lease of office space with Chadwick Bay Properties LLC (the "LLC") at 314 Central Avenue, Dunkirk, New York. The County's immediate need for temporary office space for the Department of Social Services was occasioned by the recent fire in downtown Dunkirk that forced the closure of various County offices. The most advantageous temporary office space available for the County is owned by the LLC, whose President and sole shareholder is the Deputy County Clerk. While New York State conflict of interest provisions would not prohibit a lease with the LLC because the Deputy County Clerk has no power or duty to negotiate, prepare, authorize, or approve a lease on the County's behalf, the County in its discretion has adopted stricter limitations than State law regarding contracts with corporations in which County officers or employees have an interest. Due to the County's immediate need and the limited availability of suitable space for lease in downtown Dunkirk, it is appropriate that the County's Code of Ethics be amended to waive the application of the Code to the proposed lease with the LLC.

3. Amendment

Section 4 of the Code of Ethics, regarding Conflicts of Interest of County Officers and Employees, is amended to add a new subdivision 7, as follows:

7. The provisions of this Local Law shall not apply to a lease by the County of Chautauqua of premises at 314 Central Avenue in the City of Dunkirk from Chadwick Bay Properties LLC.

4. Effective Date. This Local Law shall take effect upon filing with the Secretary of State.

Adopted by Legislature: 5/4/10      (Letter of Necessity in Effect)  
Public Hearing:                    5/11/10  
Filed w/ NYS                        5/11/10  
Adopted as LL 2-10