

(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.

~~County~~
~~XXXXXX~~
City of PLATTSBURGH
~~Town~~
~~XXXXX~~
Village
~~XXXXX~~

Local Law No. 8 of the year 19 92....
AMENDING ARTICLE II, SECTION C-2-1 & ARTICLE I, SECTION C-1-4 OF THE CITY
A local law CHARTER REGARDING ELECTION OF ALDERPERSONS, WARD CREATION AND BOUNDARIES,
(Insert Title) AND REPEALING SECTION C-4-19 REGARDING COUNCIL AUTHORITY
TO CHANGE WARD BOUNDARIES.

Be it enacted by the COMMON COUNCIL of the
(Name of Legislative Body)

~~County~~
City of PLATTSBURGH as follows:
~~Town~~
~~XXXXX~~
Village
~~XXXXX~~

SECTION C-2-1, City Officers., is amended to begin as follows:

"The officers of the City shall be the Mayor, one (1) Alderman from each ward,"

SECTION C-1-4, Division in wards., is replaced in its entirety to read as follows:

A. Number of Wards.

The City shall be divided into six wards.

B. Districting Commission: Composition, Appointments, Terms, Vacancies, Compensation.

There shall be a districting commission consisting of five members.

.1 No more than two commission members may belong to the same political party. The Common Council shall appoint four members. These four members shall, with the affirmative consent of at least three members, choose the fifth member who shall be the chairperson.

.2 No member of the commission shall be employed by the city or hold any other elected or appointed position in the city.

.3 The Common Council shall appoint the first commission no later than April 1, 1993 following completion of the federal

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

decennial census for the year 2000, and subsequent decennial census, the Common Council shall appoint the commission no later than one year and five months before the first general election of the Common Council after publication of such federal decennial census.

.4 The commission's term shall end upon the adoption of a districting plan, as set forth in section 4.3.

.5 No member of the districting commission shall be removed from office by the Common Council, except for cause and upon notice and hearing.

.6 The members of the commission shall serve without compensation, except that each member shall be allowed actual and necessary expenses, to be audited in the same manner as other city charges.

.7 The commission may hire or contract for necessary staff assistance, and may require agencies of city government to provide technical assistance. The commission shall have a budget as provided by the Common Council.

c. Powers and Duties of the Commission; Hearing, Submissions and Approval of Plan.

.1 Following each decennial census, including the 1990 census, the commission shall consult the Common Council and shall prepare a plan for dividing the city into wards for the election of councilmembers. In preparing the plan, the commission shall be guided by the criteria set forth in Section 4.4. The report on the plan shall include a map and description of wards recommended.

.2 The commission shall hold one or more public hearings not less than one month before it submits the plan to the Common Council. The commission shall make its plan available to the public for inspection and comment, not less than one month before its public hearing.

.3 The commission shall submit its plan to the Common Council not less than one year before the first general election of the Common Council after each decennial census.

.4 The plan shall be deemed adopted by the Common Council, unless disapproved within three weeks by the vote of the majority of all members of the Common Council. If the Common Council fails to adopt the plan, it shall return the plan to the commission with its objections, and with the objections of individual members of the council.

.5 Upon rejection of its plan, the commission shall prepare a revised plan and shall submit such revised plan to the Common Council no later than nine months before the first general election of the Common Council after the decennial census. Such

revised plan shall be deemed adopted by the Common Council, unless, the vote of two-thirds of all of its members, the Common Council disapproves within two weeks and votes to file a petition in the Supreme Court, Clinton County, for a determination that the plan fails to meet the requirements of this charter. The Common Council shall file its petition no later than ten days after its disapproval of the plan. Upon a final determination upon appeal, if any, that the plan meets the requirements of this charter, the plan shall be deemed adopted by the Common Council and the commission shall deliver the plan to the city clerk. The plan delivered to the city clerk shall include a map and description of the wards.

.6 In any year, if population figures are not available at least one year and five months before the first general election following the decennial census, the Common Council may by ordinance shorten the time periods provided for districting commission action in subsections (2), (3), (4) and (5) of this section.

D. Districting Plan; Criteria.

In preparation of its plan for dividing the city into wards for the election of aldermen, the commission shall apply the following criteria, which, to the extent practicable, shall be applied and given priority in the order in which they are herein set forth.

.1 Wards shall be equal in population except where deviations from equality result from the application of the provisions hereinafter set forth. Nevertheless no such deviation may exceed five percent of the average population for all Common Council wards, according to the figures available from the most recent census.

.2 Wards shall consist of contiguous territory. Land areas separated by waterways shall not be included in the same wards, unless said waterways are traversed by highway bridges, tunnels or regularly scheduled ferry services, both termini of which are within the ward. Population permitting, islands not connected to the mainland or to other islands by bridge, tunnel or regular ferry services shall be included in the same wards as the nearest land area within the city, and where such subdivisions exist, within the same ward or equivalent subdivision as described in subsection (5), below.

.3 No city block shall be divided in the formation of wards.

.4 In the establishment of wards within cities whose territory is divided into districts whose boundaries have remained substantially unaltered for at least fifteen years, the number of such districts whose territory is divided among more than one ward shall be as small as possible.

.5 Consistent with the foregoing provisions, the aggregate

length of all ward boundaries shall be as short as possible.

E. Effect of Enactment.

The new Common Council wards and boundaries as of the date of enactment shall supersede previous council wards and boundaries for all purposes of the next regular city election, including nominations. The new wards and boundaries shall supersede previous wards and boundaries for all other purposes as of the date on which all aldermen elected at that regular city election take office.

SECTION C-4-19, Change of ward boundaries., is hereby repealed.

(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 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, 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 disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19__, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 8 of 19 92 of the ~~(County)~~(City)(~~Town~~)(~~Village~~) of PLATTSBURGH was duly passed by the COMMON COUNCIL on MARCH 12 1992, and was (approved)~~(not disapproved)~~~~(repassed after disapproval)~~ by the MAYOR on MARCH 13 1992. 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 NOVEMBER 3 1992, in accordance with the applicable provisions of law.

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. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19__, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(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 chairman 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.)

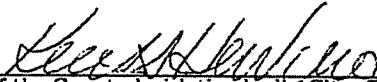
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 of 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 3, above.



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

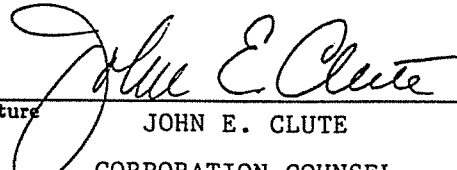
(Seal)

Date: 28 DECEMBER 1992

(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 CLINTON

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 JOHN E. CLUTE
CORPORATION COUNSEL

Title

~~County~~
City of PLATTSBURGH
~~Town~~
~~Village~~

Date: 28 DECEMBER 1992