

(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

City

of Rockville Centre

Town

Village

Local Law No. 9 of the year 2007

A local law in relation to the effective date of election of members of fire companies.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County

City

of Rockville Centre as follows:

Town

Village

Section one. Pursuant to the authority vested in the Board of Trustees pursuant to Municipal Home Rule Law §10(1)(ii)(e)(3), the Board of Trustees does hereby amend, and supersede, the provisions of New York Village Law §10-1006(2).

Section two. The Code of the Village of Rockville Centre is hereby amended, by adding thereto a new chapter, to be chapter 24, to read as follows:

“Chapter 24. Fire Department.

§24-1. Election of members of fire companies. New York Village Law §10-1006(2) is hereby amended and superseded in the Village of Rockville Centre, to read as follows:

“2. The board of fire commissioners shall appoint residents of the village as the volunteer members of any newly organized fire company. Thereafter, the fire company may elect other eligible persons, including village officers, as volunteer members. The

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

election shall be pursuant to the by-laws, if any, of the fire company; otherwise, by a three-fourths vote of the members of the fire company present and voting at a regular or special meeting thereof. The membership of any person so elected shall become effective when (a) approved by the Mayor, unless such approval by the Mayor is disapproved by resolution of the board of fire commissioners within thirty days thereafter, or (b) approved by resolution of the board of fire commissioners, whichever shall first occur. Membership shall be deemed to have been approved pursuant to this subdivision in the event that no action is taken by the Mayor or board of fire commissioners within forty days after service of written notice of election to membership shall have been made by the secretary of the fire company upon the village clerk, either personally or by mail.”

Section three. If any clause, sentence, paragraph, or section of this local law shall be held invalid by any court of competent jurisdiction, or the application of this local law to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or operation of this local law directly involved in the controversy in which the judgment shall have been rendered. To further this end, the provisions of this local law are hereby declared to be severable.

Section four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

(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. 9 of 2007 of the (County)(City)(Town)(Village) of Rockville Centre was duly passed by the Board of Trustees on December, 2007, in accordance with the applicable provisions of law.~~

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 200__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 200_, 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.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 200__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 200_, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 200_. 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 _____ 200_, 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 200__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 200_, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 200_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 200_, in accordance with the applicable provisions of law.

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

*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.

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 200__ 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 _____200_, 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 200__ 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 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 1, above.

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

(Seal)

Date: December, 2007

(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 NASSAU

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

Village Attorney
Title

County

City

of Rockville Centre

Town

Village

Date: December, 2007