

Local Law Filing

(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 Town Village
(Select one.)

of PORT LEYDEN

FILED
STATE RECORDS
SEP 13 2023

DEPARTMENT OF STATE

Local Law No. 6 of the year 2023

A local law TO AMEND LOCAL LAW #3-2022 ABOLISHING THE POSITION OF VILLAGE JUSTICE
(Insert Title)

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of PORT LEYDEN

as follows:

SEE ATTACHED.

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

(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. 6 of 2023 of the (County)(City)(Town)(Village) of PORT LEYDEN was duly passed by the BOARD OF TRUSTEES on JULY 25 2023, 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 2023 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2023, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 2023, 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 2023 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2023, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 2023. *(Elective Chief Executive Officer*)*

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 _____ 2023, 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. 6 of 2023 of the (County)(City)(Town)(Village) of PORT LEYDEN was duly passed by the BOARD OF TRUSTEES on JULY 25 2023, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the MAYOR on JULY 25 2023. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of AUGUST 26 2023, in accordance with the applicable provisions of law. *(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 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.

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 20____ 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 _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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 4 above.

Danielle St. Louis
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 8-26-2023

(Seal)

**VILLAGE OF PORT LEYDEN
LOCAL LAW 6 FOR 2023**

Section 1. - Title. This local law shall be entitled "Abolition of Village Justice and Court of the Village of Port Leyden, New York"

Section 2. - Statement of Authority. The prior "Abolish the Position of Village Justice Law of the Village of Port Leyden, New York", Local Law No. 3 for 2022, is hereby repealed and replaced in its entirety. The Board of Trustees of the Village of Port Leyden, pursuant to the authority granted it under § 3-301 et seq. of the Village Law and Article 2 of the Municipal Home Rule Law of the State of New York hereby enacts as follows:

Section 3. - Statement of Purpose and Findings. The Board of Trustees of the Village of Port Leyden finds it economically prudent to dissolve and abolish its local justice court and allow for the adjudication of local justice matters by the applicable Town Court justices having jurisdiction over the Village's territory.

This local law is therefore enacted in order to terminate the Village Justice position, which is due for election on November 7, 2023. The current Village Justice position would continue until December 31, 2023, when the present term is due to expire. On December 31, 2023, the Port Leyden Village Court System will cease to exist.

Section 4. - Timeline for Termination. Effective December 31, 2023, the Village Justice position due for election on November 7, 2023, the Court Clerk, and the Port Leyden Village Court System shall cease to exist.

Section 5. - Town Courts will Adjudicate. On or after December 31, 2023, all matters necessitating the intervention of the local justice court system, both criminal and civil actions, originating in the Village of Port Leyden or once adjudicated in the Port Leyden Village Court System shall be docketed in the Town of Leyden Justice Court or the Town of Lyonsdale Justice Court by virtue of the Village of Port Leyden being located in both aforementioned towns.

Section 6. - Effective Date. This local law is adopted subject to a permissive referendum, and shall take effect upon the expiration of the referendum period or, in the event a referendum is called, upon the affirmative vote of a majority of those voting in such referendum, and the subsequent filing of this local law with the Department of State,

Section 7. - Filings. Within five days of the effective date of the local law, the Clerk of the Village of Port Leyden shall file a copy of such local law with the Clerk of the Town of Leyden and the Town of Lyonsdale and with the State Office of Court Administration.