

**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 underling to indicate new matter.

County  
~~City~~ of Yates  
~~Town~~  
~~Village~~

**LOCAL LAW NO. 1 OF THE YEAR 2011.**

**A LOCAL LAW CREATING THE DEPARTMENT OF EMERGENCY  
MANAGEMENT IN THE COUNTY OF YATES**

Be it enacted by the Legislature of the

County  
~~City~~ of Yates as follows:  
~~Town~~  
~~Village~~

**Section 1. Establishment of Department of Emergency Management and Position of Director Thereof.**

There is hereby created, as a separate department of Yates County government, the Yates County Department of Emergency Management, the head of which shall be the Director of Emergency Management who shall be appointed by the Yates County Legislature and hold such position during its pleasure. The Director shall receive an annual salary to be fixed by the Yates County Legislature.

**Section 2. Powers and Duties of the Director of Emergency Management.**

The Director of Emergency Management shall have the power and duty to:

- (a) Direct and coordinate the provision of emergency management services and fire control services within the County;
- (b) Appoint and remove a deputy director, other subordinates, and employees of the Department of Emergency Management, within the amounts appropriated therefore by the Yates County Legislature, and to prescribe and supervise their duties;
- (c) Insure the County's compliance with federal and state laws pertaining to natural disasters, emergency preparedness, hazard mitigation, hazardous materials response, and other related emergency response activities;
- (d) Administer training programs for the fire service and emergency medical personnel;
- (e) Promote emergency preparedness and other preventive activities to enhance public awareness of emergency management;
- (f) Coordinate inter- and intra-county mutual aid programs for both the fire and emergency medical services within the County;
- (g) Oversee the maintenance and operation of the County's Emergency Operations Center;

- (h) Recommend and/or formulate administrative policies and procedures for the operation and accountability of the Department of Emergency Management; and
- (i) Perform such additional and related duties as may be prescribed from time to time by the Yates County Legislature and/or the Yates County Administrator.

**Section 3. Effective Date.**

This local law shall take effect immediately upon its filing with the New York Secretary of State.

(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 1 of the (County)(City)(Village) of Yates was duly passed by the Legislature on May 18, 2011 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 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ (Elective Chief Executive Officer\*) 20\_\_, 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 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ (Elective Chief Executive Officer\*) 20\_\_. 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 \_\_\_\_\_ 20\_\_, 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 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ (Elective Chief Executive Officer\*) 20\_\_. Such local law was submitted to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

\_\_\_\_\_  
\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there are 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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_1\_\_, above.

Conrad C. Hayes  
Clerk of the County legislative body, city, Town or Village Clerk  
Or officer designated by local legislative body

(Seal)

Date: 5/18/11

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

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  
Bernette A. Bourcy  
Title: County Attorney

County  
City of Yates  
Town  
Village

Date: 5-19-11