

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.

NEW YORK
DEPARTMENT OF STATE
FILED

MAY 15 2013

County City Town Village
(Select one.)

of Hamilton

MISCELLANEOUS
& STATE RECORDS

Local Law No. 12 of the year 2013

A local law AMENDMENT TO LOCAL LAW NO. 10 OF THE YEAR 1995 ENTITLED "CODE OF
(Insert Title)
ETHICS OF HAMILTON COUNTY"

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

County City Town Village
(Select one.)

of Hamilton

as follows:

BE IT ENACTED, by the Board of Supervisors of the County of Hamilton, as follows:

Section I – Legislative Intent

The Code of Ethics duly adopted by the Board of Supervisors in 1995 is more restrictive than Article 18 of the General Municipal Law, whereby at times creating an undue hardship. The Intent of this amendment is to provide the Board of Ethics the ability to grant waivers from those restrictions which are in excess of Article 18 of the General Municipal Law.

Section II – A new Section 108-A is hereby added to the Hamilton County Code of Ethics and shall read as follows:

§108-A. Waivers.

1. Upon written application by a current or former County officer or employee and written approval with justification for the waiver by the applicable department head, the Board of Ethics may grant the applicant, or his or her private employer or business, a waiver of any of the provisions of the Code of Ethics [except: the provisions pertaining to gifts, appearances by the County official's private employer or business, and transactional disclosure] where the Board of Ethics finds that waiving such provision would not be in conflict with the purposes and interest of the County, provided, however, that no such waiver shall permit any conduct or interest otherwise prohibited by Article 18 of the General Municipal Law.

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

2. Waivers granted by the Board of Ethics shall be in writing, shall state the grounds upon which they are granted, and shall be available for public inspection and copying.

3. All applications, decisions, and other records and proceedings relating to such waivers shall be indexed and maintained on file by the board.

Section III – this Local Law shall take effect immediately upon its adoption and being filed in the Secretary of State's Office of the State of New York.

(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. _____ 12 _____ of 20¹³ of the (County)(~~City~~)(~~Town~~)(Village) of Hamilton _____ was duly passed by the Board of Supervisors _____ on May 2 _____ 20¹³, 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(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 _____ 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject 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 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 1 above.

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

Date: _____

(Seal)