

## Preparing Local Laws

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| <b>Objective:</b>   | To outline procedures for Department Heads and others to follow in processing an item of business that must be handled by Local law. | <b>Policy/Procedure Number:</b> | 08-02                                    |
| <b>Reference:</b><br><i>(All applicable federal, state, and local laws)</i> | Administrative Policy 08-01 (Preparing Resolutions); Municipal Home Rule Law; Tompkins County Code and Charter;                      | <b>Effective Date:</b>          | January 12, 1981                         |
| <b>Legislative Policy Statement:</b>  | It is the policy of the Legislature to provide protocol for preparing Local laws and procedural guidelines for Departments.          | <b>Responsible Department:</b>  | Clerk of the Legislature/County Attorney |
| <b>General Information:</b>   |  | <b>Modified Date (s):</b>       | January 29, 2013;<br>July 2019           |
|   |  | <b>Resolution No.:</b>          | 2019-144                                 |
|   |  | <b>Next Scheduled Review:</b>   | July 2024                                |

**I. Definitions:** **Local Law** - A law adopted pursuant to powers afforded to the County under the Constitution and laws of the State of New York.

**II. Policy:** The Tompkins County Legislature may adopt, amend or repeal local laws . Local laws may relate to the property, affairs or government of the County.

**III. Procedure:** Certain items of County business are required by State law to be presented as Local laws rather than as resolutions passed by the Tompkins County Legislature. The procedure requires more steps than that of preparing a resolution (Policy 08-01). The first consideration is determining which items of business must follow the Local law procedure.

**A.** Any amendment to a Local law or to the Tompkins County Charter and Code requires a Local law. Department Heads and Legislators should inquire of the County Attorney if any item of County business requires the process of Local law. Intradepartmental business will not usually require a Local law.

**B.** A Local law shall be drafted by either a Department or the County Attorney or a Legislator to go to a Legislative committee. If the Local law is drafted by a Department or a Legislator, the County Attorney shall review the draft before committee consideration.

**C.** The Local law shall be in its final form and included with the meeting agenda of the meeting at which the resolution establishing a public hearing on the Local law is scheduled to be voted on whenever circumstances permit. It must be in its final form and provided to Legislators no later than seven (7) calendar days, exclusive of Sundays, prior to final passage.

**D.** The Legislature shall by resolution establish the date, time, and place for a public hearing. All Local laws require a public hearing unless they are considered emergency measures requiring immediate passage as outlined in Municipal Home Rule Law, Sections 20(4).

**E.** The Clerk of the Legislature shall place a notice of the time, place, and date of the public hearing in the official designated newspaper(s) of the County at least five (5) calendar days prior to the public hearing. For Local laws involving

certain Federal agencies, e.g., Federal Aviation Administration (FAA), notice of public hearings must be placed in official newspaper(s) ten (10) calendar days before the public hearings.