

# 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 HEWLETT NECK

FILED  
STATE RECORDS  
DEC 15 2016

DEPARTMENT OF STATE

Local Law No. 1 of the year 2016

A local law CREATING CHAPTER 3 OF THE COE OF THE VILLAGE OF HEWLETT NECK TO  
(Insert Title)  
ESTABLISH A VILLAGE JUSTICE COURT

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

County  City  Town  Village  
(Select one)

of HEWLETT NECK

as follows:

Section 1 Chapter 3

Chapter 3 of the Code of the Village of Hewlett Neck is hereby created to read as follows:

§3-1 Legislative findings.

The Board of Trustees of the Village of Hewlett Neck hereby finds and determines that the best interests of the Village would be served by the establishment of a Village Justice Court, pursuant to Village Law §3-301, having the powers and duties prescribed in the Uniform Justice Court Act.

§3-2 Offices established; compensation.

A. There shall be one elected Village Justice for the Village of Village of Hewlett Neck. The Mayor shall appoint, subject to approval of the Board of Trustees, an Acting Village Justice who shall serve when requested by the Village Justice, or in the absence or inability of the Village Justice to serve.

B. The Village Justice and the Acting Village Justice shall serve without compensation.

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

### **§3-3 Jurisdiction.**

The Village Justice Court of the Village of Hewlett Neck shall have such jurisdiction as is permitted by the Uniform Justice Court Act of the State of New York and other laws of the State of New York and of the County of Nassau.

### **§3-4 Terms of office.**

The office of Village Justice shall be filled by election for a four-year term in accordance with Village Law §3-302. The Acting Village Justice position shall be filled by appointment by the Mayor, subject to the approval of the Board of Trustees, at the annual meeting of the Board of Trustees and be for a term of office of one year.

### **§3-5 Employees and officers; systems and services.**

The Board of Trustees shall be empowered to appoint such employees, officers and the like as may be required to operate and conduct the Village Justice Court in accordance with the procedures provided by law and to provide for the compensation of such employees, officers and the like. The Board of Trustees shall be empowered to secure such systems and services as may be required in the operation and conduct of the Village Court system established within the Village and to provide for the payment thereof in accordance with law.

### **Section 2. Permissive referendum.**

The adoption of this local law is subject to a permissive referendum pursuant to Article 9 of the Village Law.

### **Section 3. Severability.**

If any section or provision of this local law shall be adjudged to be invalid by any Court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law or the remainder thereof, but shall be confined in its operation to the section or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

### **Section 4. Effective date.**

This local law shall take effect upon completion of the procedural requirements for local laws subject to permissive referendum and the subsequent filing thereof with the 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. 1 of 2016 of the ~~(County)(City)(Town)(Village)~~ of HEWLETT NECK was duly passed by the BOARD OF TRUSTEES on DECEMBER 6 2016, 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.

*Mickell D. ...*

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

Date: 12-9-2016

(Seal)