

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE

41 STATE STREET, ALBANY, NY 12231

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(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 of

Town

Village

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED

AUG 19 2002

MISCELLANEOUS
& STATE RECORDS

Local Law No.-----8----- of the year 2002----

A local law amending the Charter of the City of Buffalo in relation to the duties and powers of the
deputy commissioner of public works, parks and streets for streets

(Insert Title)

Be It enacted by the-----Common Council----- of the

(Name of Legislative Body)

County

City of

Town

Village

Buffalo

as follows:

Section 1. That Article 15 of the Charter of the City of Buffalo, adopted pursuant to law, is hereby amended as follows:

§ 15-35. Duties and Powers.

The deputy commissioner of public works, parks and streets for streets shall have the supervision and management of all the affairs of the division of streets. The deputy commissioner shall be charged with and exercise the following powers and duties, to wit: The cleaning by sweeping and/or flushing with water, including the control by either removal or displacement of snow and ice accumulations thereon, of all public streets, alleys, roadways and highways; the control, direction, management and coordination, including the planning and designing, of all programs for the removal, displacement, or prevention of snow and ice accumulations or icy conditions on all public streets, alleys, roadways and highways, which programs shall be filed with the common council by November first of each year, and for any of the other activities of the department. Such program should also include details related to street cleaning and city-owned vacant lot maintenance.

The deputy commissioner shall be responsible for the removal for disposal of solid waste; the maintenance, regulation and control of vacant lots; the regulation and control of all solid waste collection, including the inspection of structures and premises where the same are stored in connection therewith, and the enforcement of applicable state laws and ordinances relating to the same or relating to any of the other activities of the department of street sanitation; orderly administration of all applicable state and local laws and ordinances regulating solid waste collection, recycling and the maintenance of vacant lots in the city; add to or delete from list of recyclable materials and establish rules and regulations regarding the separation, preparation, collection, transport and disposal of recyclable materials in accordance with state and local law and ordinances.

The deputy commissioner shall also be responsible for the elimination, regulation and disposal of pests, including rats and pigeons; the inspection of structures and premises in connection therewith; the removal and disposal of dead animals and carcasses from streets and public places; the management and control of the operation of the animal shelter, including the performance of all duties required for the proper seizure and impounding of animals and for the destruction or sale thereof. All departmental commissioners and all other city agency heads shall cooperate fully with the commissioner of public works, parks and streets in carrying out the functions of this department.

The deputy commissioner of public works, parks and streets for streets shall be charged with the power and duty of governing and disciplining the department and all subordinates and employees thereof and to that end may, from time to time, make and enforce orders, rules and regulations not inconsistent with this act or any general law, which orders, rules, or regulations shall have the same force and effect as if herein specially enacted. Existing rules and regulations shall continue until changed. He or she shall also have the powers and exercise all the duties hereinafter conferred upon the division of streets and shall exercise such other powers and perform such other duties as may be conferred or imposed by any provision of this act or by any general law or ordinance.

Section 2. Insofar as the provisions of this local law are inconsistent with the provisions of any other local law or act, the provisions of this local law shall be controlling.

Section 3. This local law shall take effect immediately.

(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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____ in accordance with the applicable provisions of law.
(Same 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 - _____8_____ of 2002 of the (City) of -----Buffalo----- was duly passed by the -----Common Council----- on -----7/23----- 2002 --, and was approved
(Name of Legislative Body)
disapproval) by the -----Mayor----- and was deemed duly adopted on ---8/15/02 --,
(Elective ChiefExecutive Officer-) 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
(Name of Legislative Body)
after disapproval) by the ----- on ----- 20----. Such local law was
(Elective ChiefExecutive Officer-) 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 ----- 19----, 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
(Name of Legislative Body)
approved)(repassed after disapproval) by the ----- on ----- 20
(Elective ChiefExecutive Officer-) Such local law was subject to permissive referendum and no valid petition requesting such rcferendum 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 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 -----2----- above.


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

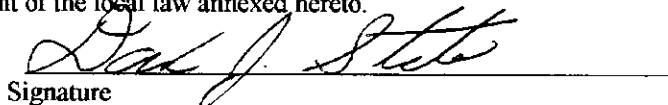
(Seal)

Date: 8/15/02

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

STATE OF NEW YORK
COUNTY OF ERIE

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

SENIOR Deputy Corporation Counsel FOR Michael
Title R. SMAN, CORPORATION COUNSEL

County
City of Buffalo
Town
Village

Date: 8/15/02