

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.

FILED
STATE RECORDS

DEC 07 2016

County City Town Village
(Select one.)

of Byron

DEPARTMENT OF STATE

Local Law No. 2 of the year 20 16

A local law Authorizing Games of Chance By Authorized Organizations
(Insert Title)

Within the Town of Byron

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

County City Town Village
(Select one.)

of Byron as follows:

SEE ATTACHED

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

(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.
(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 disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2016 of the ~~(County)(City)(Town)(Village)~~ of Byron was duly passed by the Byron Town Board on August 10 2016, and was (approved)(not approved) (repassed after disapproval) by the Peter Yasses, Supervisor on August 10 2016.
(Name of Legislative Body)
(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 November 8 2016, 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 disapproval) by the _____ on _____ 20____. Such local 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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* 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.)

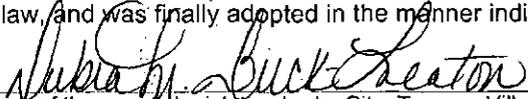
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.)

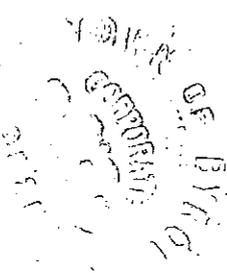
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 3 above.



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

Date: November 30, 2016

(Seal)



STATEMENT of the Board of Elections of the County of Genesee
In relation to the votes cast in the
General Election, November 8, 2016

The Board of Elections of the County of Genesee having met at the office of said Board, on the 15th Day of November, 2016 to canvass and estimate the votes given in the several Election Districts of said County, at the General Election held on the eighth day of November in the year aforesaid, do certify as follows;

PROPOSAL NUMBER ONE, TOWN PROPOSITION NUMBER ONE

Shall Local Law no. 2 of 2016 of the Town of Byron entitled "Games of Chance Local Law of the Town of Byron" permitting certain bona fide religious, charitable, educational, fraternal, service, veterans or volunteer firefighters' organizations to conduct games of chance be approved?

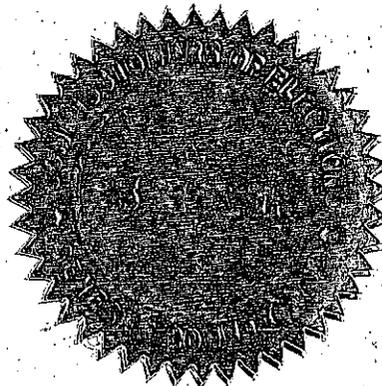
It appears on such estimate and canvasses that votes for Proposal Number One, Town Proposition Number One, votes were cast as follows;

Votes in Favor – 871

Votes Against – 86

WE CERTIFY this statement to be correct, and have caused the same to be attested by the signatures of the members of the Board, there being TWO members in said Board, this 21st day of November, A.D. two thousand sixteen.

Lorie J. Longhany *Lorie J. Longhany*
Richard E. Siebert *Richard E. Siebert*



**LOCAL LAW NO. 2 OF 2016 AUTHORIZING GAMES OF CHANCE BY
AUTHORIZED ORGANIZATIONS WITHIN THE TOWN OF BYRON**

RESOLUTION #59:

Councilwoman Fuller offered the following resolution and moved for its adoption:

Resolved, that the Byron Town Board hereby adopts Local Law No. 2 of 2016 authorizing Games of Chance by authorized organizations within the Town of Byron, subject to a referendum to be submitted to the voters at the election to be held on November 8, 2016.

Councilman Klycek seconded the resolution which was adopted by the following vote:

Peter Yasses, Supervisor	Aye
James Cudney, Councilperson	Aye
Jeff Thompson, Councilperson	Aye
Sue Fuller, Councilperson	Aye
Fred Klycek, Councilperson	Ayes

STATE OF NEW YORK)
COUNTY OF GENESEE)
TOWN OF BYRON) ss.:

I, Debra M. Buck-Leaton, Town Clerk of the Town of Byron, New York, do hereby certify that I have compared the foregoing with the resolution duly adopted by the Town of Byron on the 10th day of August, 2016, and entered in the minutes of the proceeding of said Board and that the foregoing is a true and correct copy of the said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12th day of August, 2016.



Debra M. Buck-Leaton, Town Clerk

Seal:



TOWN OF BYRON LOCAL LAW NO. 2 OF THE YEAR 2016

A LOCAL LAW AUTHORIZING GAMES OF CHANCE BY AUTHORIZED ORGANIZATIONS WITHIN THE TOWN OF BYRON

Be it enacted by the Town Board of the Town of Byron, Genesee County, New York, as follows:

Section 1. Statutory Authority; Title

This Local Law is adopted pursuant to the authority of Article 9-A of the General Municipal Law of the State of New York and shall be known as the "Games of Chance Local Law of the Town of Byron."

Section 2. Definitions

A. The words and terms used in this Local Law shall have the same meanings as such words and terms are used in Article 9-A of the General Municipal Law, unless otherwise provided herein or unless the context requires a different meaning.

B. As used in this Local Law, the following terms shall have the meanings indicated:

1. "The Chief Law Enforcement Officer of the Genesee County" means the Sheriff of Genesee County.

2. "Town" means the Town of Byron.

Section 3. Games of Chance Authorized; Restrictions

Pursuant to, and in accordance with, the provisions of section 188(1) of the General Municipal Law of the State of New York and other applicable provisions of law, it shall be lawful for any authorized organization, upon obtaining a license therefor from the Town Clerk (as provided in Article 9-A of the General Municipal Law) to conduct games of chance within the territorial limits of the Town, subject to the provisions of this Local Law, the provisions of Article 9-A of the General Municipal Law, and the rules and regulations set forth by the New York State Racing and Wagering Board. The conduct of games of chance shall be subject to the restrictions imposed by section 189 of the General Municipal Law.

Section 4. Sunday Games

Games of chance may be commenced under any license issued pursuant to this Local Law on Sunday between the hours of noon and midnight only, except that the application for a license may request approval to conduct such games of chance beyond midnight if the following day is a legal holiday. Notwithstanding the foregoing provisions of this section, no games of chance shall be conducted on Good Friday, Easter Sunday, Christmas Day or New Year's Eve.

Section 5. Control and Supervision

The powers and duties set forth in subdivisions 1 and 2, section 194 of the General Municipal Law shall be exercised by the Chief Law Enforcement Officer of the Genesee County.

Section 6. When Effective

In accordance with the provisions of section 188(2) of the General Municipal Law and section 23(1) of the Municipal Home Rule Law, this Local Law shall not become operative or effective unless and until it shall have been approved at the next general election to be held within the Town on November 7, 2016 if approved by the affirmative vote of a majority of the qualified electors of the Town voting upon the proposition and thereafter filing with the Secretary of State.

Proposition 1:

Shall Local Law No. 2 of 2016 of the Town of Byron entitled "Games of Chance Local Law of the Town of Byron" permitting certain bona fide religious, charitable, educational, fraternal, service, veterans or volunteer firefighters' organizations to conduct games of chance be approved?