

Legal Counsel Approval 

RL13-161

Introductory No. LL 13-3

Permanent No. LL13-3



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: November 20, 2013

Sponsored by Council Members: Motsavage, Webb, Matzo, Rennia, Mihalko, Berg, Papastrat

Introduced by Committee: Municipal and Public Affairs

LOCAL LAW NO. 13-3 OF 2013

entitled

A LOCAL LAW AMENDING SECTION 400-28
OF THE CODE OF THE CITY OF
BINGHAMTON REGARDING CITY COUNCIL
REVIEW OF TRAFFIC BOARD DECISIONS

WHEREAS, the Council of the City of Binghamton wishes to amend § 400-28 of the Code of the City of Binghamton, entitled *Notification to Council Member of proposed changes in ward*, to allow City Council a period of thirty (30) days to review all Traffic Board decisions, and to provide an opportunity to City Council to repeal or amend such decisions prior to implementation.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That § 400-28 of the Code of the City of Binghamton, entitled *Notification to Council Members of proposed changes in ward*, is hereby deleted and replaced as follows:

§ 400-28. City Council review period. [Amended 10-23-2013 by L.L. No. 13-

3.]
The Traffic Board shall notify City Council upon the adoption of any order, rule or regulation, setting forth the change proposed by the Board. Upon receipt of notification, City Council shall have up to thirty (30) days to review such Traffic Board determinations, and may elect to amend or repeal any such order, rule or regulation, in accordance with § 400-26 of the Code of the City of Binghamton. The Traffic Board shall not implement any order, rule or regulation until the thirty (30) day City Council review period has expired.

Section 2. That this Local Law shall take effect upon filing with the Secretary of State.

I hereby certify the above to be a true copy
of the legislation adopted by the Council
of the City of Binghamton at a meeting
held on 12/4/13. Approved by the
Mayor on 12/5/13.



Introductory No. LL13-3

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Sponsored by City Council Members:
Motsavage, Webb, Matzo, Rennia, Mihalko, Berg,
Papastrat

A LOCAL LAW AMENDING SECTION 400-28 OF
THE CODE OF THE CITY OF BINGHAMTON
REGARDING CITY COUNCIL REVIEW OF
TRAFFIC BOARD DECISIONS

The within Local Law was adopted by the Council of
the City of Binghamton.

DECEMBER 4, 2013

Charles Chelmer
City Clerk

DECEMBER 5, 2013

Date Presented to Mayor
12/5/13
Matthew J. J...
Date Approved
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko				✓
Rennia	✓			
Webb	✓			
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	6	0	0	1

Code of the City of Binghamton

Adopted Defeated

6 Ayes 0 Nays 0 Abstain 1 Absent

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 Binghamton

Local Law No. 3 of the year 2013

A local law amending Section 400-28 of the Code of the City of Binghamton regarding City Council

(Insert Title)

review of Traffic Board decisions

Be it enacted by the Council of the
(Name of Legislative Body)

County City Town Village

(Select one.)

of Binghamton

as follows:

See attached.

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

Local Law Filing

Instructions

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov/corps

PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed with the Secretary of State shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
4. File only the number, title and text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.

7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
8. A copy of each local law may be mailed or delivered to:
NYS Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)

(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.

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. ³ _____ of 20 13 of the (County)(City)(Town)(Village) of Binghamton was duly passed by the Council of the City of Binghamton on December 4 20 13, and was (approved)(not approved) ~~(repassed after disapproval)~~ by the Mayor of the City of Binghamton and was deemed duly adopted on December 5 20 13, 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 after disapproval)~~ by the _____ on _____ 20____.

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) ~~(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.

* 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. 2013 of 2013 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 2013 2013, 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 2013 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 2013, 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

Date: DECEMBER 9, 2013

(Seal)