

1986-1

FILED

1986 FEB 21 PM 2:58

COUNTY CLERK'S OFFICE  
CHEHANGO COUNTY, N.Y.

(Please Use this Form for Filing your 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 Chenango  
Town  
Village

Local Law No. 1 of the year 19 86

A local law Defining The Responsibility of The County of Chenango For Acts Of The

(insert title)

Sheriff And His Deputies

Be it enacted by the Board of Supervisors of the

(Name of Legislative Body)

County  
City of Chenango as follows:  
Town  
Village

See annexed sheet for context of local law.

(If additional space is needed, please attach sheets of the same size as this and number each)

The Finance Committee presented the following for enactment:

A local law DEFINING THE RESPONSIBILITY OF THE COUNTY OF CHENANGO FOR ACTS OF THE SHERIFF AND HIS DEPUTIES

Be it enacted by the Board of Supervisors of the County of Chenango as follows:

SECTION 1: Any act or omission of any deputy in the office of the Chenango County Sheriff, done or made in the performance of an official duty or for the performance of which the County is paid or received compensation or a fee, shall be the act or omission of the County, and the damages, if any, resulting therefrom shall be deemed the liability of the County, provided, however, that the County shall not be liable for injury or damage which results from acts or omissions on the part of such deputies, which acts or omissions are wilful, intentional, reckless or due to gross negligence of such deputies.

SECTION 2: Nothing contained in this section shall be deemed to render the county responsible or liable for the acts of the sheriff thereof where such responsibility or liability did not exist prior to the enactment hereof, nor relieve said sheriff from any liability to which he is lawfully subject.

SECTION 3: Nothing contained herein shall be deemed or construed to increase or alter the county's liability beyond what is otherwise imposed upon the sheriff, his deputies or employees.

SECTION 4: This act shall take effect immediately.

Seconded by Mr. Wade \_\_\_\_\_

Results of a roll call vote were: Yes-1976, No-0, Absent-495

Absent: Supervisors English, Eccleston and Maltzan

The Chairman declared the Local Law duly adopted.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 19.86...  
County  
of the ~~City~~ ~~Town~~ ~~Village~~ of Chenango..... was duly passed by the Board of Supervisors  
(Name of Legislative Body)  
on February 19 19 86 in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,\* or repassage after disapproval.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the ~~City~~ ~~Town~~ ~~Village~~ of ..... was duly passed by the .....  
(Name of Legislative Body)  
on ..... 19..... and was approved ~~not disapproved~~ by the .....  
Elective Chief Executive Officer \*  
and was deemed duly adopted on ..... 19....., 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 19.....  
County  
of the ~~City~~ ~~Town~~ ~~Village~~ of ..... was duly passed by the .....  
(Name of Legislative Body)  
on ..... 19..... and was approved ~~not disapproved~~ by the .....  
Elective Chief Executive Officer \*  
on ..... 19..... 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  
~~general~~ ~~annual~~  
thereon at the special election held on ..... 19....., in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....  
County  
of the ~~City~~ ~~Town~~ ~~Village~~ of ..... was duly passed by the ..... on  
(Name of Legislative Body)  
..... 19..... and was approved ~~not disapproved~~ by the ..... on  
Elective Chief Executive Officer \*  
..... 19..... Such local law being subject to a permissive referendum and no  
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on  
..... 19....., 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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 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 ..... 19..... became operative.

6. (County local law concerning adoption of Charter.)

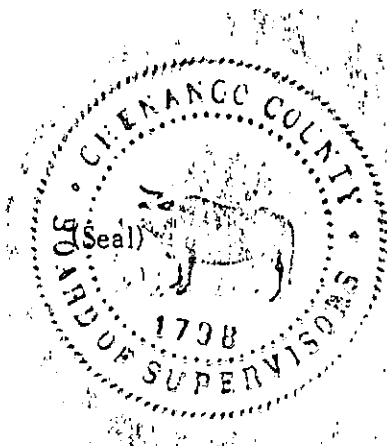
I hereby certify that the local law annexed hereto, designated as Local Law No. .... of 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of 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.

*Thomas M. Hettich*  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: February 20, 1986



Chenango County, NY  
Recorded on the 21<sup>st</sup> Day  
of February 1986 at 2:58  
o'clock P. M., in Liber 1 of  
Local Laws  
at Page 21 and examined  
J. A. Thibault Clerk

(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 CHENANGO

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.

*James H. Hayes*  
Signature  
County Attorney  
Title

Date: February 20, 1986

County  
City of Chenango  
Town  
XXXXXX