

2008-3

Local Law Filing

FILED

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

2008 NOV 19 PM 1:32

(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 Chenango
- Town**
- Village**

Local Law No. 3 of the year 20 08

A local law PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION FOR DOCUMENTS
(Insert Title)
RECORDED IN THE OFFICE OF THE COUNTY CLERK, AND AUTHORIZING AN
INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR THE RECORDING,
ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT

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

- County**
- City** of Chenango as follows:
- Town**
- Village**

The Safety & Rules Committee offered the following, and moved its adoption:

STATE OF NEW YORK
COUNTY OF CHENANGO
ADOPTED LOCAL LAW NO. 3 OF 2008

A LOCAL LAW PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK, AND AUTHORIZING AN INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR THE RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT.

BE IT ENACTED by the Board of Supervisors of the County of Chenango, State of New York, as follows:

Section 1. Title.

This law shall be known as the "Enhanced Personal Privacy Protection for Recorded Documents Law."

Section 2. Declaration of intent.

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

In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, and as further amended by Chapter 288 of the Laws of 2008, the Chenango County Board of Supervisors authorizes the Chenango County Clerk to increase the fees charged for certain documents recorded with the County Clerk's Office.

Section 3. Fees for recording documents.

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the Chenango County Clerk has placed an image of such cover page on line, the county clerk shall make a good faith effort to redact such information.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 5. Effective date.

This local law shall take effect thirty days after filing in the office of the secretary of state pursuant to section 27 of the municipal home rule law.

Seconded by Mr. Doyle

Results of a Roll Call vote were: Yes-2401, No-0, Absent-0

The Chairman declared the Local Law duly adopted.

(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. 3 of 20 08 of the (County)(City)(Town)(Village) of Chenango was duly passed by the Board of Supervisors on 11/10 20 08, 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. 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 (Elective Chief Executive Officer*) and was deemed duly adopted 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 (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 (Elective Chief Executive Officer*) 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. _____ 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.



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

Date: 11/18/2008

(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.

[Signature]

Signature
County Attorney
Title

County
City of Chenango
Town
Village

Date: November 18, 2008

Chenango County, SS
Recorded on this 19th Day
of November 2008 at 1:32
o'clock P.M. in Libert
Local Bank
at P.O. 367 and examined
Ray C. Weidner