

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County  
~~City~~ of ORLEANS  
~~Town~~  
~~Village~~

Local Law No. 2 of the year 19 72

A local law ESTABLISHING ORLEANS COUNTY DEPARTMENT OF HIGHWAYS AND  
(Insert title)  
PRESCRIBING THE POWERS AND DUTIES THEREOF.

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

County  
~~City~~ of Orleans as follows:  
~~Town~~  
~~Village~~

SECTION 1. Establishment of Department of Highways

(a) For the purpose of carrying out the provisions of the Highway Law in respect to the construction and maintenance of highways, roads, and bridges and the control of snow and ice thereon within the County of Orleans, there is hereby established a department of county government to be known as the Department of Highways of the County of Orleans.

(b) The head of said Department shall be the Orleans County Superintendent of Highways appointed pursuant to the provisions of Section 100 of the Highway Law. Such Superintendent shall be in the unclassified service of the Civil Service.

SECTION 2. Salary and Removal of Superintendent of Highways

(a) The salary of the Superintendent shall be fixed by the Orleans County Board of Supervisors and shall be payable by the County Treasurer in biweekly installments. In addition, such Superintendent shall receive all necessary expenses incurred while in the performance of his official duties, including a reasonable mileage allowance, as fixed by and approved by said Board of Supervisors, for the miles actually and necessarily traveled on official business by the use of his own automobile in the event an automobile is not furnished by the County of Orleans.

The term of office of the Superintendent of Highways shall be four years, unless sooner removed by the County Board of Supervisors as provided hereinabove or by the Department of Transportation as provided in the Highway Law. A vacancy in the office of the County Superintendent of Highways shall be filled by the Board of Supervisors of the County for the unexpired term as prescribed by law.

#### SECTION 4. Powers and Duties of Superintendent of Highways

##### The Orleans County Superintendent of Highways

(a) shall have and perform all the powers and duties conferred on County Superintendents of Highways by the Highway Law, the General Municipal Law, the Vehicle and Traffic Law and any other general or special law and shall perform such additional and related duties as may be prescribed and directed by the County Board of Supervisors. He shall have the supervision and control of all persons employed in the Department of Highways;

(b) may appoint qualified persons to the positions of employment established from time to time by the County Board of Supervisors for the Department of Highways, including those persons who have heretofore held positions of the same grade by employment of the County Superintendent of Highways and who are now qualified for such positions under the Civil Service Law, and such appointments shall be deemed a continuation of the services of said persons in said respective positions. He shall have the power to remove such appointed persons in accordance with applicable law;

(c) may, with the approval of the County Board of Supervisors, appoint for a term not extending beyond the term of office of said County Superintendent of Highways, and at pleasure remove, a Deputy Superintendent of Highways to serve at such compensation as may be fixed from time to time by the County Board of Supervisors. Such Deputy shall act for and have all the powers and duties of such Superintendent during his inability to act as such Superintendent or during the regular or approved vacation period of such Superintendent;

(d) shall, with the written approval of the Highway Committee of the County Legislature and within the amount appropriated by the County Board of Supervisors, appoint and employ such other persons as may be necessary for the construction and maintenance of County roads and bridges and the control of snow and ice thereof and the maintenance of the County Garage, and fix the salary and compensation of such employees;

(e) may procure, at the expense of the County of Orleans, a blanket undertaking from any duly authorized corporate surety covering the officers, clerks and employees in the Department of Highways and indemnify the County of Orleans against losses through the failure of the officers, clerks and employees covered thereunder to faithfully perform their duties or to account properly for all monies or property received by virtue of the positions or employment;

(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.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No. 2 of 1972  
County  
of the ~~City~~ of Orleans was duly passed by Board of Supervisors  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
on June 20, 1972 in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the ~~City~~ of \_\_\_\_\_ was duly passed by \_\_\_\_\_  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
on \_\_\_\_\_ 19\_\_\_\_\_ and was approved not disapproved by the \_\_\_\_\_  
repassed after disapproval Elective Chief Executive Officer  
and was deemed duly adopted on \_\_\_\_\_ 19\_\_\_\_\_, in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the ~~City~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
on \_\_\_\_\_ 19\_\_\_\_\_ and was approved not disapproved by the \_\_\_\_\_  
repassed after disapproval Elective Chief Executive Officer  
on \_\_\_\_\_ 19\_\_\_\_\_. Such local law was submitted to the people by reason of a  
mandatory referendum and received the affirmative vote of a majority of the qualified electors voting  
permissive general  
thereon at the special election held on \_\_\_\_\_ 19\_\_\_\_\_, in accordance with the appli-  
annual  
cable provisions of law.

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

4. I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the ~~City~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ On  
~~Town~~ (Name of Legislative Body)  
~~Village~~  
\_\_\_\_\_ 19\_\_\_\_\_ and was approved not disapproved by the \_\_\_\_\_ On  
repassed after disapproval Elective Chief Executive Officer

(City local law concerning Charter revision proposed by petition.)

5. 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 § 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 election held on the ..... 19 ..... 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.

*William A. ...*

Clerk of the Board of Supervisors, City, Town or Village Clerk or Officer designated by Local Legislative Body

Date: 6/29/72

(Seal)

(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 ...ORLEANS.....

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.

*Joseph ...*  
.....  
(Title of Officer) County Attorney

County  
City of Orleans  
Town  
Village

Dated: 6/29/72