

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 Spring Valley

Local Law No. 3 of the year 2019

A local law Repealing Local Law 2-2017 establishing a ward system of Village Government
(Insert Title)

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

County City Town Village
(Select one.)

of Spring Valley

as follows:

Please see attached pages.

(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. 3 of 2019 of the (County)(City)(Town)(Village) of Spring Valley was duly passed by the Village Board of Trustees on June 6 2018, 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 (Elective Chief Executive Officer*) on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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____.
(Elective Chief Executive Officer*)
(Name of Legislative Body)

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*)
(Name of Legislative Body)

* 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 _____ above.

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

Date: January 25, 2019

(Seal)

RESOLUTION # _____ AFTER PUBLIC HEARING – ADOPT LOCAL LAW NO. ~~3~~
~~2018~~ 2019

**RESOLUTION TO REPEAL LOCAL LAW 2-2017 ESTABLISHING A WARD SYSTEM
OF VILLAGE GOVERNMENT**

WHEREAS, on December 4, 2017 at approximately 9:00 a.m. the previous Village Board purportedly adopted a Local Law Establishing a Ward System and Ward System Boundary Lines within the Village of Spring Valley, New York; and

WHEREAS, on December 4, 2017 at approximately 12:30 p.m. the newly constituted Village Board adopted a Resolution calling for a Public Hearing to be held by the Spring Valley Village Board at its regularly scheduled meeting on the 20th day of December, 2017, at the Spring Valley Village Hall, located at 200 North Main Street, Spring Valley, New York, to hear all interested parties on a proposed local law to repeal said Local Law; and

WHEREAS, the Notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the Spring Valley Village Hall on the 20th day of December 2017 at approximately 8:30 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the adoption of said Local Law, or any parts thereof; and

WHEREAS, the Village Board of the Village of Spring Valley, after due deliberation, requested the Village Attorney to research whether Local Law 2 of 2017 establishing a Ward System was lawfully adopted, and adjourned the public hearing without date; and

WHEREAS, after researching the matter, the Village Attorney is of the opinion that the law was not legally adopted because: 1) the Special Meeting at which the vote took place violated §4-1A of the Spring Valley Village Code which provides that Public Hearings shall not be scheduled before 8:15 p.m.; and 2) the Special Meeting and Public Hearing were not noticed and posted in accordance with law; and

WHEREAS, Local Law 2-2017 has not yet been filed with the Secretary of State because it was subject to permissive referendum; and

WHEREAS, despite the Village Attorney's opinion and the fact that Local Law 2-2017 has not been filed by the Secretary of State because it must be submitted for mandatory referendum, in order to avoid any confusion by Village residents as to the validity of Local Law 2-2017 or whether the law will be on the ballot as a referendum item at the November 2018 general election, the Village Board finds it in the best interest of the Village to affirmatively repeal Local Law 2-2017; and

WHEREAS, on May 16, 2018 Village Board adopted a Resolution calling for a Public Hearing to be held by the Spring Valley Village Board at its regularly scheduled meeting on the 6th day of June, 2018, at the Spring Valley Village Hall, located at 200 North Main Street, Spring Valley, New York, to hear all interested parties on a proposed local law to repeal said Local Law; and

WHEREAS, the Notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the Spring Valley Village Hall on the 6th day of June 2018 at approximately 8:15 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the adoption of said Local Law, or any parts thereof; and

WHEREAS, it is therefore

RESOLVED, that the Village Board of the Village of Spring Valley adopts Local Law 15-2018 as follows:

**LOCAL LAW NO. 15-2018 – A LOCAL LAW REPEALING LOCAL LAW 2-2017
ESTABLISHING A WARD SYSTEM AND WARD SYSTEM BOUNDARY LINES
WITHIN THE VILLAGE OF SPRING VALLEY**

BE IT ENACTED, by the Village Board of the Village of Spring Valley, Rockland County, State of New York, as follows:

Section 1. Repealer

Local Law 2-2017 of the Village of Spring Valley is hereby REPEALED.

Section 2. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this Local Law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section 3. Repeal, Amendment and Supersession of Other Laws

All other Ordinances or Local Laws of the Village of Spring Valley which are in conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect during its effective period.

Section 4. Effective Date

This Local Law, after its adoption by the Village Board of the Village of Spring Valley, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

Dated: June 6, 2018