

Board of Supervisors
WAYNE COUNTY

RESOLUTION NO. 246-12: ADOPT A LOCAL LAW RELATING TO THE REAPPORTIONMENT OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE

Mr. Kelsch presented the following:

WHEREAS, a proposed local law relating to the reapportionment of the Board of Supervisors of the County of Wayne was presented to the Board of Supervisors on March 20, 2012; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on April 17, 2012 at 9:15 a.m., in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE – STATE OF NEW YORK
LOCAL LAW NO. 1 FOR THE YEAR 2012

A local law relating to the reapportionment of the Board of Supervisors of the County of Wayne.
BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1. LEGISLATIVE INTENT

The Wayne County Board of Supervisors having heretofore enacted local laws implementing adjusted weighted voting plans for simple majority votes and two-thirds majority votes, and since those enactments the 2010 Federal Census having been completed, the Wayne County Board of Supervisors did pursuant to Section 10 of the Municipal Home Rule Law prepare revised plans, utilizing the said 2010 population statistics.

SECTION 2. LEGISLATIVE AUTHORITY

This local law is enacted pursuant to the provisions of Subparagraph 13 of Paragraph a, Subdivision 1 of Section 10 of Municipal Home Rule Law.

SECTION 3. ADJUSTED WEIGHTED VOTING PLAN (SIMPLE MAJORITY)

The apportionment of the voting strength of each of the numbers of the Wayne County Board of Supervisors as determined by utilization of the 2010 Federal Census shall be as follows upon any vote requiring a simple majority vote:

Arcadia	171
Butler	26
Galen	56
Huron	28
Lyons	73
Macedon	117
Marion	62
Ontario	127
Palmyra	102
Rose	31
Savannah	23
Sodus	107
Walworth	120
Williamson	90
Wolcott	56
	1189

A total of 595 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote.

SECTION 4. ADJUSTED WEIGHTED VOTING PLAN (TWO-THIRDS MAJORITY)

The apportionment of the voting strength of each of the members of the Wayne County Board of Supervisors as determined by utilization of the 2010 Federal Census shall be as follows upon any vote requiring a two-thirds majority vote:

Arcadia	166
Butler	23
Galen	49
Huron	24
Lyons	63
Macedon	102

Marion	53
Ontario	113
Palmyra	89
Rose	26
Savannah	20
Sodus	93
Walworth	107
Williamson	78
Wolcott	49

1055

A total of 704 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote.

SECTION 5. EFFECT OF OTHER LAWS OR ACTS

Local Law No. 6-2011 and any other law, ordinance, resolution or other act of the Wayne County Board of Supervisors relating to reapportionment is herein and hereby rescinded.

SECTION 6. SEPARABILITY

If any clause, sentence, paragraph or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the proceeding in which such adjudication shall have been rendered.

SECTION 7. EFFECTIVE DATE

This local law is subject to referendum on petition pursuant to Municipal Home Rule Law Section 20(2)(j). This local law shall take effect 45 days after its adoption pursuant to Municipal Home Rule Law Section 24(1), subject to the provisions thereof.

and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to number the local law in conformance the filing requirements of the Secretary of State and to file the local law with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Manktelow. Upon roll call, all Supervisors voted Aye, except Supervisors Crane, Manktelow, Hammond, Bender and Baldrige who voted Nay. Absent – Supervisor LeRoy. The Chairman declared the Resolution adopted.

WAYNE COUNTY
Board of Supervisors
 LYONS, NEW YORK

This is to Certify that I, the undersigned, Clerk of the Board of Supervisors of the County of Wayne, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County at a session held on the 17th day of April 2012 and that the same is a true copy of said original and of the whole thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the Board of Supervisors of the County of Wayne, this 17th day of April 2012.

Clerk of the Board

