

Board of Supervisors
WAYNE COUNTY

RESOLUTION NO. 607-08: ADOPTING LOCAL LAW PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK

Mrs. Collier presented the following:

WHEREAS, 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 as indicated by the State of New York, designated as Intro F/Local Law No. 7 for the year 2008, was presented to the Board of Supervisors on Tuesday, August 19, 2008; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on Tuesday, September 16, 2008 at 7:15 pm, 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

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 as indicated by the State of New York.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1. DECLARATION OF INTENT

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, the Wayne County Board of Supervisors authorizes the Wayne County Clerk to increase the fees charged for certain documents recorded with the County Clerk's Office.

SECTION 2. 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.

SECTION 3. 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 4. 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.

Mr. LeRoy moved the adoption of the resolution. Seconded by Mr. Lauderdale. Upon roll call, 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 16th day of September 2008 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 16th day of September 2008.

Clerk of the Board

