

## LOCAL LAW INTRODUCTION NO. 3 -2010

# TOWN OF AMHERST COUNTY OF ERIE, STATE OF NEW YORK

A LOCAL LAW ENTITLED "A LOCAL LAW TO DECREASE THE NUMBER OF COUNCILMEN IN THE TOWN OF AMHERST, NEW YORK, FROM SIX COUNCILMEN TO FOUR COUNCILMEN"

Be it enacted by the Town Board of the Town of Amherst as follows:

### Section 1. Repeal of Prior Local Law:

Local Law Introduction No. 1-2010, a Local Law entitled "A Local Law To Decrease The Number Of Councilmen In The Town Of Amherst, New York, From Six Councilmen To Four Councilmen" adopted by the Town Board on January 19, 2010, is hereby repealed. A new Local Law is enacted as follows:

### Section 2. Purpose:

The purpose of this Local Law is to decrease the number of Town Councilmen from six to four, under the authority of the Municipal Home Rule Law. Pursuant to New York State Town Law §20-5-a, the terms "Councilman" and "Councilmen" whenever used in this Local Law shall include persons of both the male and female gender.

### Section 3. Number of Councilmen:

The number of Town Councilmen shall be decreased from six to four, as hereinafter set forth.

### Section 4. Election of Councilmen:

- A. The Councilman position which is vacant on the date that the Town Board adopts this local law shall be eliminated effective January 1, 2011.
- B. For the biennial town election to be held in November 2011, and thereafter, two Councilmen shall be elected for a term of four years each.
- C. One Councilman position shall be eliminated effective January 1, 2014. In the event that a Councilman position that was elected at the biennial town election on November 3, 2009 becomes vacant, at any time prior to January 1, 2014 that position shall be immediately eliminated and no additional position will be eliminated.
- D. For the biennial town election to be held in November 2013, and thereafter, two Councilmen shall be elected for terms of four years each.

Section 5. Authority:

This Local Law is enacted pursuant to the authority granted to towns by Section 10 (1)(ii)(a)(1) and (d)(3) of the Municipal Home Rule Law to adopt legislation concerning the number of its officers and its property, affairs and government. To the extent that this Local Law is inconsistent with Sections 20, 24, 24-a, 64 and 81 of the Town Law of the State of New York, these Sections are superseded by this Local Law.

Section 6. Effective Date:

This Local Law shall take effect upon the affirmative vote of a majority of qualified electors voting thereon at the General Election to be held on November 2, 2010, and upon filing in the Office of the Secretary of State of New York in accordance with the Municipal Home Rule Law and the Code of the Town of Amherst.

Deborah Bruch Bucki  
Town Clerk  
Town of Amherst  
Erie County, New York