

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 Westchester

Local Law No. 4 of the year 20¹⁵

A local law amending Section 836.42 of the Laws of Westchester County related to the purchase of high mileage vehicles, electric vehicles, hybrid vehicles or alternative fuel vehicles by the County of Westchester.

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

County City Town Village
(Select one:)

of Westchester as follows:

Section 1. Subdivision "1" of Section 836.42 of the Laws of Westchester County is hereby amended to read as follows:

1. Notwithstanding any provision of this Chapter or any provision of the Laws of Westchester County to the contrary, and unless otherwise exempted as herein provided, all purchases by the County of Westchester of motor vehicles shall be for high mileage vehicles, electric vehicles, hybrid vehicles or alternative fuel vehicles, exempting instances listed in Subdivisions "7" and "8" of Section 836.42.

§2. Subdivision "3" of Section 836.42 of the Laws of Westchester County is hereby amended to read as follows:

3. For the purposes of this Section, the term "high mileage vehicle," shall mean a motor vehicle propelled by an internal combustion or similar type engine that is rated as having a combined city/highway fuel consumption of thirty-five (35) miles per gallon or more and shall have the following United States Environmental Protection Agency smog rating for each of the corresponding years:

- Smog rating of six (6) or higher if purchased after January 1, 2015 and on or before December 31, 2015
- Smog rating of seven (7) or higher if purchased after January 1, 2016 and on or before December 31, 2016
- Smog rating of eight (8) or higher if purchased after January 1, 2017.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

§3. Subdivision "8" of Section 836.42 of the Laws of Westchester County is hereby amended to read as follows:

8. Any other request for an exemption from the provisions of this Section must be supported by good cause. An exemption may be authorized by the Commissioner of Public Works and Transportation. "Good cause" for the purposes of this subdivision shall include: (i) the vehicle's use for an emergency services purpose; (ii) the vehicle's use for another essential municipal service as determined by the Commissioner of Public Works or other appropriate commissioner; or (iii) the unavailability of a high mileage vehicle, an electric vehicle, a hybrid vehicle or an alternative fuel vehicle suitable for the intended purpose or for another other municipal use as might be necessitated by specific circumstances determined by the Commissioner of Public Works.

§4. The Clerk of the Board, as soon as practicable after the adoption of this Local Law, shall cause a notice to be published at least once, in one or more newspapers published in the County of Westchester, selected by the Clerk for that purpose, said notice to contain the number, date of adoption and a true copy of this Local Law and a statement that this Local Law, which changes a provision of law relating to public bidding, purchases or contracts, is subject to a referendum on petition pursuant to the provisions of Section 209.171(2) of the Westchester County Administrative Code and Section 24(2)(b) of the New York State Municipal Home Rule Law.

§5. This Local Law shall take effect sixty days after its adoption.

(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. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.

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 _____ by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

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 _____ by the _____ on _____ 20____.

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. _____ 4 _____ of 20¹⁵ of the (County)(City)(Town)(Village) of Westchester was duly passed by the Board of Legislators _____ on November 10, 20¹⁴, and was (approved)(not approved) (repassed after disapproval) by the County Executive _____ on November 17, 20¹⁴. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of January 16, 20¹⁵, in accordance with the applicable provisions of law.

* 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, ⁴ above.

Tina Secorson

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

(Seal)

Date: 1/20/15

(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

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.

Signature

Title
County _____
City of Westchester
Town _____
Village _____
Date: _____