

**TOWN OF CLARKSTOWN
OFFICE OF THE TOWN ATTORNEY
INTER OFFICE-MEMORANDUM**

TO: George Hoehmann, Supervisor
Town Board Members

FROM: Lino J. Sciarretta, Town Attorney 

RE: **Proposed Local Law - Establishing Ward District
Boundary Lines**

DATE: May 17, 2016

Enclosed, for your information, is a copy of the proposed local law referred to above.

The purpose of this draft of the local law is to give the Town Board the power to establish boundary lines for ward districts within the Town of Clarkstown.

LJS/pm
Encl.

cc: Town Clerk

**TOWN OF CLARKSTOWN
LOCAL LAW NO. -2016
ESTABLISHING WARD DISTRICTS**

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

Section 1. Title.

A Local Law Establishing Ward District Boundary Lines within the Town of Clarkstown.

Section 2. Legislative Intent and Authority.

The purpose of this local law is to create a new chapter of the Town Code of the Town of Clarkstown to provide for an establishment of the ward system and the election thereafter of one councilman from each ward. This local law is adopted pursuant to the provisions of § 10(1)(ii)(d)(3) of the Municipal Home Rule Law of the State of New York, which grants to local governments the authority to adopt or amend local laws which are not inconsistent with provisions of the constitution or not inconsistent with any general law. Furthermore, this local law allows for the amending or supersession of any provision of the town law relating to the property, affairs, or government of the town, notwithstanding that such provision is a general law. This local law, therefore, has rendered the Town Board the power to establish a ward system and hold an election thereafter consisting of one councilman from each ward as consistent with § 10(1)(ii)(d)(3) of Municipal Home Rule Law and § 85 of New York Town Law.

Section 3.

Whenever a proposition shall have been adopted in the town for the establishment of the ward system and the election thereafter of one councilman from each ward, the Town Board shall divide the town into four wards and fix the boundaries thereof. The division shall be so made that the number of voters in each ward, shall be approximately equal. No election district heretofore or hereafter created under the election law shall contain parts of two or more wards. When the Town Board shall have finally determined the boundaries of the wards, it shall cause a map of the town to be prepared, showing in detail the location of each ward and the boundaries thereof. The original map so made shall be filed in the office of Town Clerk, and copies thereof shall be filed in the offices of the County Clerk and the Board of Elections of Rockland County. The ward system shall be deemed established after such filing is complete. At the first biennial town election held not less than 120 days after a ward system shall have been so established, successors to the Town Councilmen whose terms are expiring shall be elected at large for terms of two years each, and the term of office of every Town Council shall terminate on the 31st day of December next succeeding the second biennial town election held not less than 120 days after the establishment of such ward system, and, at such second biennial town election, one resident

elector from each odd-numbered ward shall be elected as Councilman therefrom for a term of two years, and one resident elector from each even-numbered ward shall be elected as Councilman therefrom for a term of four years, each such term to begin on the first day of January next succeeding such election, and thereafter, at each biennial town election, there shall be elected successors to the Town Councilmen whose terms are expiring for a term of four years each, to begin on the first day of January next succeeding such election.

Section 4. Effective Date.

This Local Law shall become effective immediately upon filing with the Secretary of State.