

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

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**TO:** Justin Sweet, Town Clerk  
**FROM:** Patricia McDonald, Paralegal *PM*  
**RE:** Local Law No. 6-2016 (Establishing Ward Districts)  
**DATE:** June 8, 2016

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For your information, enclosed please find a copy of Local Law No. 6-2016, which was adopted at the Town Board meeting on June 7, 2016.

/pm  
Encl.

cc: Town Board

## Local Law Filing

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(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 of

Village

CLARKSTOWN

Local Law No. 6 of the year 2016

"A LOCAL LAW ESTABLISHING WARD DISTRICT BOUNDARY LINES WITHIN THE TOWN OF CLARKSTOWN"

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County

City

Town of

Village

CLARKSTOWN

as follows:

See attached Local Law.

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

(1)

**TOWN OF CLARKSTOWN  
LOCAL LAW NO. 6 -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

(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 adopted by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2016 of the (County) (City) (Town) (Village) of CLARKSTOWN was duly passed by the TOWN BOARD on June 7, 2016, in accordance with applicable provisions of law.  
(Name of legislative body)

**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 \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**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 \_\_\_\_\_ . 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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**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. \_\_\_\_\_ 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 \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief 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.)

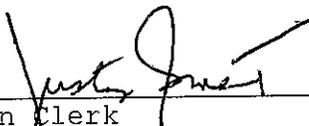
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 hereby 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 1, above.

  
\_\_\_\_\_  
Town Clerk  
Justin Sweet

(Seal)

Date: 6/8/16

(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 ROCKLAND

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

Lino J. Sciarretta, Town Attorney  
Title

County \_\_\_\_\_  
City \_\_\_\_\_  
Town of CLARKSTOWN  
Village \_\_\_\_\_

Date: 6/8/16