

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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~~
of.....STEUBEN.....

Local Law No.SEVEN..... of the year 19...97

A local law Authorizing the Probation Department, conducting an
(Insert Title)
investigation pursuant to Family Court Act 653, to be
entitled to a fee of not less than \$50.00 and not more
than \$500.00 from the parties in such a proceeding for
performing such investigation

Be it enacted by theLEGISLATURE..... of the
(Name of Legislative Body)

County

~~CITY~~
~~TOWN~~
of.....STEUBEN..... as follows:

SECTION 1: LEGISLATIVE INTENT It is the intent of this local law to authorize the Steuben County Probation Department to receive such fees as may be authorized by the Family Court Act Section 252-a, investigations for habeas corpus, custody or visitation.

SECTION 2: FEES

A. The Steuben County Probation Department be, and the same hereby is, authorized to be entitled to a fee of not less than \$50.00 and not more than \$500.00 from the parties in a proceeding for performing an investigation pursuant to Family Court Act Section 653. Said fee shall be based on the party's ability to pay the fee and the schedule for payment shall be fixed by the Court issuing the order for investigation, pursuant to the guidelines issued by the Director of the Division of Probation and Correctional Alternatives. Said fee may, in the discretion of the Court, be waived when the parties lack sufficient means to pay the fee. The Court shall apportion the fee between the parties based upon the respective financial circumstances of the parties and the equities of the case.

B. Fees pursuant to this local law shall be paid directly to the Steuben County Probation Department to be retained and utilized for local probation services and shall not be considered by the Division of Probation when determining State Aid reimbursement pursuant to Section 246 of the Executive Law.

SECTION 3. SEVERABILITY In the event any portion hereof shall be declared unenforceable, the balance of the local law remaining shall be in full force and effect.

SECTION 4: EFFECTIVE DATE This local law shall become effective upon final 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. Seven of 1997 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Steuben was duly passed by the Steuben County Legislature on 2/28 1997, in accordance with the 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)~~

* 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.)~~

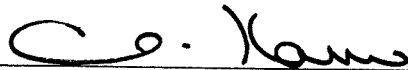
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, 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 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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 1, above.



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

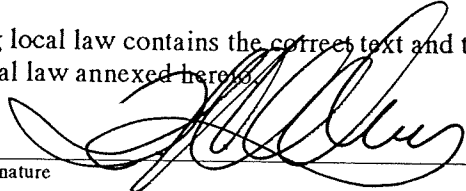
(Seal)

Date: March 4, 1997

(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 STEUBEN

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

STEUBEN COUNTY ATTORNEY

Title

County
~~XXX~~ of STEUBEN
~~XXXX~~
~~XXXXX~~

Date: March 4, 1997