

# Proposed Local Law Number 5 Of 2022

## County of Ulster

### **A Local Law Amending Various Sections Of The Ulster County Charter And Ulster County Administrative Code To Reduce The Ulster County Legislature To 17 Members**

**BE IT ENACTED**, by the Legislature of the County of Ulster, as follows:

#### **SECTION 1. LEGISLATIVE INTENT.**

The Ulster County Legislature has determined that the voters of Ulster County shall determine if there should be a reduction in the size of the Ulster County Legislature. If approved, on and after January 1, 2028, the Ulster County Legislature shall consist of seventeen (17) members.

#### **SECTION 2.**

Sections C-8 A. of the Ulster County Charter and A2-2 A. of the Ulster County Administrative Code shall be amended as follows:

§ C-8 (§ A2-2) Members; term of office; election.

A. Effective at the general election of ~~2011–2027~~, the County of Ulster shall be divided into ~~23~~ 17 legislative districts, from each of which shall be elected one person to be a member of the County Legislature. Such persons while holding office shall be known as "Legislators."

#### **SECTION 3.**

Sections C-10 A. of the Ulster County Charter and A2-4 A. of the Ulster County Administrative Code shall be amended as follows:

§ C-10 (§ A2-4) Commission on Reapportionment (Redistricting).

A. A Commission on Reapportionment shall be established pursuant to this section.

(1) It shall meet as soon as practicable after the availability of data from each decennial census to evaluate existing legislative districts to the maximum extent practicable pursuant to the process established herein and reapportion them as necessary to meet established standards in state and federal law for equal and fair representation of all people in Ulster County, keeping districts compact and

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contiguous while taking also into account existing town, city, village and election district boundaries, defining geographic features, and equal population within applicable law, but giving no consideration to providing advantage to one or another political party. This Commission shall consist of seven members who are County residents, are registered to vote in Ulster County, represent the geographic and demographic diversity of Ulster County, and are not currently, nor have been for the three years preceding the formation of the Commission, elected officials, employees of New York State, Ulster County or any town, city or village in that County, or members or officers of any political committee.

**(2) A Commission on Reapportionment as set forth in section A.(1) above shall also be convened for the purpose of creating district boundary lines delineating each of the 17 legislative districts. All guidelines set forth in § C-10 of this Charter shall be applicable to this Commission. The commencement of the process to establish this Commission shall be no later than June 1, 2024. For the purposes of this Commission:**

**(a) items referenced throughout § C-10 of this Charter as year ending in zero shall mean year 2024,**

**(b) items referenced throughout § C-10 of this Charter as year ending in “1” shall mean year 2025,**

**(c) items referenced throughout § C-10 of this Charter as year ending in “2” shall mean year 2026,**

**(d) items referenced throughout § C-10 of this Charter as year ending in “3” shall mean year 2027.**

**SECTION 4.**

Sections C-10 F. 1 and 2 of the Ulster County Charter and A2-4 F. 1 and 2 of the Ulster County Administrative Code shall be amended as follows:

§ C-10 (§ A2-4) Commission on Reapportionment (Redistricting).

F. Powers and duties of the Commission; hearings; submissions and approval of the plan.

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(1) Following each decennial census, the Commission shall divide the County into ~~23~~ 17 single member districts as set forth in § C-8 of this Charter for the election of County Legislators. The Commission shall be solely limited to creating district boundary lines delineating each of the ~~23~~ 17 legislative districts. The Commission shall have no power or authority to increase or decrease the number of legislative districts as that power and authority shall vest solely with the Ulster County Legislature, Ulster County Executive and the electorate pursuant to the Ulster County Charter and § 23 of Municipal Home Rule Law. The Commission shall be guided by the criteria set forth in § C-10A of the County Charter.

(2) To the maximum extent practicable each of the ~~23~~ 17 single member legislative districts shall be created, taking into consideration § C-10A of this Charter.

**SECTION 5. MANDATORY REFERENDUM QUESTION.**

The question that shall be submitted to the voters is as follows:

Shall the amendments to the Ulster County Charter approved as Proposed Local Law No. 5 of 2022, reducing the Ulster County Legislature from 23 members to 17 members, be adopted and become part of the Ulster County Charter?

**SECTION 6. SEVERABILITY.**

If any word, phrase, clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section of part thereof directly involved in the controversy in which such judgment shall have been rendered.

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**SECTION 7. EFFECTIVE DATE.**

Pursuant to Municipal Home Rule Law Section 23, this Local Law shall not become operative unless and until this Local Law is approved by the duly qualified voters of Ulster County in a manner prescribed by law at the general election on November 8, 2022, and thereafter filed with the Secretary of State. This local law shall be effective for the terms of office of members of the County Legislature beginning January 1, 2028, and shall be effective for the election of representatives for such term and all the processes required for the nomination and election of said members.