

Local Law Number 1 Of 2021

County Of Ulster

A Local Law Amending Local Law No. 17 Of 2007, A Local Law To Create The Department Of The Environment And The Office Of Coordinator Of The Department Of The Environment For The County Of Ulster

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

SECTION 1. Section 1 of Local Law No. 17 of 2007, as codified in Section 41-1 of the Ulster County Code, is hereby amended to read as follows:

Department created; appointment of Director.

[a] There is hereby created a Department of the Environment, the head of which shall be the Director of the Department of the Environment who shall be appointed on the basis of his or her experience and qualifications as specifically set forth in the civil service class specifications for that position.

[b] Prior to December 31, 2008, the Director of the Department of the Environment shall be appointed by the Ulster County Legislature and shall serve at the pleasure of the Ulster County Legislature; and such appointment shall not extend beyond December 31, 2008. Thereafter, commencing January 1, 2009, the Director of the Department of the Environment shall be appointed by the County Executive subject to confirmation of the County Legislature and such appointee shall serve at the pleasure of the County Executive.

[c] The Director of the Department of Environment shall execute environmental policy for the County and shall be responsible for the development of environmental policy subject to approval by the Ulster County Legislature prior to December 31, 2008, and thereafter subject to approval by the County Executive.

SECTION 2. The heading of Section 2 of Local Law No. 17 of 2007, as codified in section 41-2 of the Ulster County Code, is hereby amended to read as follows:

POWERS AND DUTIES OF DIRECTOR.

SECTION 3. The first sentence of Section 2 of Local Law No. 17 of 2007, as codified in Section 41-2 of the Ulster County Code, is hereby amended to read as follows:

The Director of the Department of the Environment shall:

SECTION 4. Section 3 of Local Law No. 17 of 2007, as codified in Section 41-3 of the Ulster County Code, is hereby amended to read as follows:

[a] The Director of the Department of Environment shall have the power to appoint one or more Deputy Director of the Department of the Environment within the limits of appropriations, therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Ulster County Legislature.

[b] The term of office of any deputy appointed hereunder shall coincide with that of the Director of the Department of the Environment, provided that such appointment may be revoked at any time by the Director of the Department of the Environment by written revocation filed with the County Clerk. All positions of Deputy Director shall be in the exempt class of Civil Service.

[c] Deputy Director of the Department of the Environment shall perform such duties pertaining to the office of the Department of the Environment as the Director of the Department of the Environment may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign and direct.

[d] If there be but one deputy, he or she shall possess the powers and perform the duties of the Director of the Department of the Environment during the absence or inability of the Director of the Department of the Environment to act. If there be more than one deputy, the Director of the Department of the Environment shall designate in writing and file in the Office of the County Clerk and the Clerk of the Legislature the order in which they are to serve during his or her absence or inability to act.

[e] In the event of a vacancy in the office of the Director of the Department of the Environment, such deputy, or the deputy so designated, shall possess the power to perform the duties of his or her principal until the disability is removed, or in the case of a vacancy, until a successor is appointed and has qualified. If no designation shall have been made and filed, the senior deputy shall act.

SECTION 5. SEPARABILITY.

If any clause, sentence, paragraph, section, or part of this local law 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 clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

SECTION 6. EFFECTIVE DATE.

This local law shall take effect upon filing with the Secretary of State.

Adopted by the County Legislature: December 15, 2020

Approved by the County Executive: January 8, 2021

Filed with New York State Department of State: January 28, 2021