

Proposed Local Law Number 13 Of 2025

County Of Ulster

A Local Law Amending The Ulster County Charter, (Local Law No. 2 Of 2006), Amending The Administrative Code For The County Of Ulster, (Local Law No. 10 Of 2008), And Amending The Code Of The County Of Ulster, To Modify Various Sections To Conform With Prior Enactments

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

SECTION 1. Article I Section C-5 of the Ulster County Charter is amended to read as follows:

§ C-5 Amendment or revision of Charter.

B. Amendment or revision by Commission. ~~Within five years after the enactment of this Charter~~ **Beginning in the year 2030, and at least and every subsequent year thereafter ending in “0”** ~~10 5 years thereafter~~, a Charter Revision Commission shall be appointed to review and make recommendations to the County Executive and Legislature on amendments, additions or revisions to this County Charter. The Commission shall consist of 11 qualified electors of Ulster County and representing the different geographic areas and reflective of the demographic diversity of the County, with five members appointed by the County Executive, three members to be appointed by the leader of the party in the Legislature with the most members, and three members by the leader of the party in the Legislature with the second most members. No appointee to this Commission shall be a County employee or elected official at the time ~~he or she~~ **they** serves on this Commission. **Notwithstanding any provision of this Charter, a Charter Revision Commission may be convened at any time by Local Law.**

1. The first meeting of the Commission members shall be convened by the County Executive ~~in the second week after the deadline for its appointment~~ **on or before April 15 in the years ending in “0”** for the purposes of electing a ~~Chairman~~ and receiving its charge. The ~~Chairman~~ of this Commission shall be elected at that meeting by a majority vote of the entire membership of the Commission.
2. The Legislature shall provide such funds as are necessary for the Commission to conduct its business effectively. No member of the Charter Revision Commission shall receive any compensation, but each member shall be reimbursed by the County of Ulster for all actual and necessary expenses incurred in the course of the performance of ~~his or her~~ **their** duties as a member of the Commission.
3. The Commission shall call upon necessary expertise in the community and state, shall hold public hearings to gather citizen opinion on the strengths and weaknesses of the Charter and proposed improvements, and shall maximally publicize its work through the

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print and electronic media and the County website. The Commission shall issue a written report to the County Legislature and County Executive at the conclusion of its deliberations, but no later than one year from the date of its first meeting, containing its findings and recommendations, if any, for amendments or revisions of the Ulster County Charter to be placed by the County Legislature before the people of Ulster County for their consideration at the next scheduled general election at least 60 days after the report is delivered to the Clerk of the Legislature. The Commission shall be dissolved on the day following its report or one year and one day from the date of its first meeting.

4. The Commission, by two-thirds vote of its members, may place directly before the voters for their approval at referendum proposals to amend or revise Charter provisions pertaining to the County in Article II or III of this Charter. These amendments or revisions must be filed with the Ulster County Board of Elections timely so as to allow a vote upon them at the next scheduled general election after the Commission reports. No later than one month before the scheduled referendum at which its adoption will be considered, the Commission must hold at least ~~one~~ **two duly noticed** public hearings on any Charter change proposed directly to the ballot. Amendments or revisions proposed directly to the ballot by the Commission will be deemed adopted if approved by a majority of voters casting ballots on the question during the next scheduled general election. Notwithstanding other provisions of this Charter, if the Charter Commission proposes a matter for direct ballot consideration, the Commission will continue to function until the day after election day of the year of consideration of its proposal on the ballot.

SECTION 2. Article I Section A1-7 of the Ulster County Administrative Code is amended to read as follows:

§ A1-7 Amendment or revision of Charter.

B. Amendment or revision by Commission. ~~Within five years after the enactment of this Charter Beginning in the year 2030, and at least and every subsequent year thereafter ending in "0" 10 5 years thereafter,~~ a Charter Revision Commission shall be appointed to review and make recommendations to the County Executive and Legislature on amendments, additions or

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*revisions to this County Charter. The Commission shall consist of 11 qualified electors of Ulster County and representing the different geographic areas and reflective of the demographic diversity of the County, with five members appointed by the County Executive, three members to be appointed by the leader of the party in the Legislature with the most members, and three members by the leader of the party in the Legislature with the second most members. No appointee to this Commission shall be a County employee or elected official at the time ~~he or she~~ **they** serves on this Commission. **Notwithstanding any provision of this Charter, a Charter Revision Commission may be convened at any time by Local Law.***

- 1. The first meeting of the Commission members shall be convened by the County Executive ~~in the second week after the deadline for its appointment~~ **on or before April 15 in the years ending in "0"** for the purposes of electing a Chairman and receiving its charge. The Chairman of this Commission shall be elected at that meeting by a majority vote of the entire membership of the Commission.*
- 2. The Legislature shall provide such funds as are necessary for the Commission to conduct its business effectively. No member of the Charter Revision Commission shall receive any compensation, but each member shall be reimbursed by the County of Ulster for all actual and necessary expenses incurred in the course of the performance of ~~his or her~~ **their** duties as a member of the Commission.*
- 3. The Commission shall call upon necessary expertise in the community and state, shall hold public hearings to gather citizen opinion on the strengths and weaknesses of the Charter and proposed improvements, and shall maximally publicize its work through the print and electronic media and the County website. The Commission shall issue a written report to the County Legislature and County Executive at the conclusion of its deliberations, but no later than one year from the date of its first meeting, containing its findings and recommendations, if any, for amendments or revisions of the Ulster County Charter to be placed by the County Legislature before the people of Ulster County for their consideration at the next scheduled general election at least 60 days after the report is delivered to the Clerk of the Legislature. The Commission shall be dissolved on the day following its report or one year and one day from the date of its first meeting.*
- 4. The Commission, by two-thirds vote of its members, may place directly before the voters*

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*for their approval at referendum proposals to amend or revise Charter provisions pertaining to the County in Article II or III of this Charter. These amendments or revisions must be filed with the Ulster County Board of Elections timely so as to allow a vote upon them at the next scheduled general election after the Commission reports. No later than one month before the scheduled referendum at which its adoption will be considered, the Commission must hold at least ~~one~~ **two duly noticed** public hearings on any Charter change proposed directly to the ballot. Amendments or revisions proposed directly to the ballot by the Commission will be deemed adopted if approved by a majority of voters casting ballots on the question during the next scheduled general election. Notwithstanding other provisions of this Charter, if the Charter Commission proposes a matter for direct ballot consideration, the Commission will continue to function until the day after election day of the year of consideration of its proposal on the ballot.*

SECTION 3. Article II Section C-12 of the Ulster County Charter is amended to read as follows:

§ C-12 Submission of enactments for executive approval; veto and veto override.

- A. Except as otherwise provided by this Charter, every local law, legalizing act, or resolution adopted by the County Legislature, except legislative branch appointments not otherwise subject to County Executive approval and resolutions establishing rules and regulations or other matters pertaining solely to the conduct of the Legislature, shall be certified by the Clerk of the Legislature and submitted within five days after passage to the County Executive for the County Executive's approval in writing **by original signature**.

SECTION 4. Article II Section A2-7 of the Ulster County Administrative Code is amended to read as follows:

§ A2-7 Submission of enactments for executive approval; veto and veto override.

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*A. Except as otherwise provided by this Charter, every local law, legalizing act, or resolution adopted by the County Legislature, except legislative branch appointments not otherwise subject to County Executive approval and resolutions establishing rules and regulations or other matters pertaining solely to the conduct of the Legislature, shall be certified by the Clerk of the Legislature and submitted within five days after passage to the County Executive for the County Executive's approval in writing **by original signature**.*

SECTION 5. Article XXIV Section C-94 of the Ulster County Charter is REPEALED and a new Section C-94 is added to the Ulster County Charter to read as follows:

§ C-94 Deputy Director.

The Director of Weights and Measures shall have the power to appoint one or more Deputy Directors of Weights and Measures, 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 Legislature.

SECTION 6. Article XXIV of the Ulster County Administrative Code is amended to read as follows:

Article XXIV ~~Consumer Fraud Bureau~~ Department of Weights and Measures

SECTION 7. Article XXIV Section A24-1 of the Ulster County Administrative Code is REPEALED

SECTION 8. Article XXIV Section A24-2 of the Ulster County Administrative Code is amended to read as follows:

~~§ A24-2~~ § A24-1 Director of Department of Weights and Measures.

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- A. *There shall be a Department of Weights and Measures, headed by the Director of Weights and Measures, who shall have all the powers and perform all the duties now or hereafter conferred or imposed on this office by law, so long as they meet all of the qualifications and is duly certified to act in that capacity. They shall be appointed by the County Executive with confirmation by the County Legislature and serve at the County Executive's pleasure.*
- B. *Powers and duties. The Director of Weights and Measures shall have and exercise all the powers and duties now conferred or imposed upon a county sealer by applicable law and perform such other and related duties as shall be required of them pursuant to law or delegated to them by the County Executive or the County Legislature.*
- C. **Reports.** On or before March 1 of each year, the Director of Consumer Affairs shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the bureau. The Director of Consumer Affairs shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

SECTION 9. Article XXIV Section A24-3 of the Ulster County Administrative Code is REPEALED

SECTION 10. Article XXIV Section A24-4 of the Ulster County Administrative Code is REPEALED

SECTION 11. Article XXIV Section A24-5 of the Ulster County Administrative Code is amended to read as follows:

~~§ A24-5~~ **§ A24-2** Deputy Director of Weights and Measures.

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- A. The Director of Weights and Measures shall have the power to appoint one or more Deputy Directors of Weights and Measures, 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 Legislature.*
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Weights and Measures, provided that such appointment may be revoked at any time by Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of Weights and Measures as the Director 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.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

SECTION 12. Article XLII Section C-125 of the Ulster County Charter is REPEALED and a new Section C-125 is added to the Ulster County Charter to read as follows:

§ C-125 Deputy Director.

The Director of the Department of the Environment shall have the power to appoint one or more Deputy Directors of the Department of the Environment within the limits of appropriations. Every appointment shall be in writing and filed in the office of the County Clerk and the Clerk of the Ulster County Legislature

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SECTION 13. Article XLII, Section A42-2 of the Ulster County Administrative Code is REPEALED and a new Section A42-2 is added to the Ulster County Administrative Code to read as follows:

§ 42-2. Deputy Director of Environment.

- A. The Director of the Department of the Environment shall have the power to appoint one or more Deputy Directors of the Department of the Environment within the limits of appropriations. 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 Directors 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 is but one deputy, they 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 is 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 their absence or inability to act.**

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

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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 14. Chapter 41 of the Code of the County of Ulster is REPEALED and a new Chapter 41 is added to the Code of the County of Ulster to read as follows:

Chapter 41 [Reserved]

SECTION 15. Chapter 216, §216-5, of the Code of the County of Ulster is hereby amended to read as follows:

§ 216-5 Amendment to § C-101B.

The Commission of Human Rights shall have 11 members appointed to terms of three years, three members of ~~whom~~ **which** shall be appointed by the legislative Chair~~man~~**person**, three members by the legislative minority leader, and five members by the County Executive, one of whom shall be designated by him or her as the Commission Chair~~man~~**person**. Appointments shall be representative of the various religious, racial, ethnic and nationality groups in Ulster County's communities. No member of the Commission of Human Rights shall serve more than ~~two~~ **four** consecutive terms of three years.

SECTION 16. Article II, Section C-11.1 of the Ulster County Charter is hereby amended in part to read as follows:

§ C-11.1 Audit Committee.

A. The Audit Committee shall:

- (2) Select the independent auditor in a fashion consistent with the County's existing procurement policy, and the Audit Committee shall consult with the Director of ~~Purchasing~~ **General Services** in this respect; and

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SECTION 17. Article II, Section A2-5.1 of the Ulster County Administrative Code is hereby amended in part to read as follows:

§ A2-5.1 Audit Committee.

A. The Audit Committee shall:

- (2) Select the independent auditor in a fashion consistent with the County's existing procurement policy, and the Audit Committee shall consult with the Director of ~~Purchasing~~ **General Services** in this respect; and*

SECTION 18. Article XVI, Section A16-1 of the Ulster County Administrative Code is hereby amended in part to read as follows:

§ A16-1 Director of General Services.

B. Powers and duties. The Director of General Services shall:

- (2) Approve and execute certain contracts as shall be prescribed by the Administrative Code:*

(c) The Director of General Services shall review and approve all contracts \$50,000 or in excess of \$50,000 as to the content and compliance with requirements for municipal purchasing, and present each contract to the County Legislature for the County Legislature's approval. Upon the approval of a contract by the County Legislature, the Director of ~~Purchasing~~ **General Services** shall present the contract to the County Executive for approval. Upon the approval of the contract by the County Executive, the Director of ~~Purchasing~~ **General Services** shall have the authority to execute the contract as provided in § C-74B(2) in the County Charter.

SECTION 19. Article XVI, Section A16-2 of the Ulster County Administrative Code is hereby amended in part to read as follows:

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§ A16-2 Deputy Director of General Services.

- A. The Director of General Services shall have the power to appoint one or more Deputy Directors of ~~Purchasing~~ **General Services**, 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 Legislature.

SECTION 20. Chapter 26, Article II, Section 26 of the Code of the County of Ulster is hereby amended in part to read as follows:

§ 26-5 Definitions.

Whenever used in this article, the following terms shall mean:

DIRECTOR OF PURCHASING

Shall refer interchangeably to the Director of General Services and/or ~~The Director of~~ Purchasing for the County of Ulster, New York.

§ 26-6 Requirements.

- C. The process for procurements based upon best value or general evaluation criteria shall be identified in the County's Procurement Policy, a copy of which shall be maintained in the Department of ~~Purchasing~~ **General Services** and be made available to the public

SECTION 21. Chapter 166 of the Code of the County of Ulster is hereby amended in part to read as follows:

§ 166-2 Designation of enforcement agency.

- B. The Ulster County ~~Safety~~ Department **of Risk Management** is hereby designated to administer and enforce the Uniform Code with respect to buildings, premises and equipment

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in the custody of, or activities related thereto, undertaken by the County of Ulster. Said department shall maintain and be responsible for any and all records pertaining to enforcement of the Uniform Code with respect to County buildings, premises and equipment.

§ 166-4 Code Enforcement Officer and Inspectors.

The Code Enforcement Officer of the Ulster County Department of Health, Environmental Sanitation Division, shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this chapter in all properly opted out localities. The Code Enforcement Officer of the Ulster County ~~Safety~~ **Department of Risk Management** shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this chapter for all buildings, premises, and equipment in the custody of, or activities related thereto, undertaken by the County of Ulster.

§ 166-5 Building permits.

- A. Building permits required. Except as otherwise provided in Subsection B of this section, a building permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Code Enforcement Officer. Building permits for properly opted out localities shall be applied for and obtained through the Environmental Sanitation Division of the Ulster County Department of Health. Building permits with respect to buildings, premises and equipment in the custody of, or activities related thereto, undertaken by the County of Ulster, shall be applied for and obtained through the Ulster County ~~Safety~~ **Department of Risk Management**.

§ 166-9 Notification regarding fire or explosion.

- B. The chief of any fire department providing fire-fighting services for a property owned or leased by Ulster County shall promptly notify the Code Enforcement Officer of the Ulster

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County ~~Safety~~ Department **of Risk Management** of any fire or explosion involving any structural damage, fuel-burning appliance, chimney or gas vent.

§ 166-10 Unsafe buildings and structures.

B. Inspection and report. The Ulster County ~~Safety~~ Department **of Risk Management** or Ulster County Department of Health, upon information and belief that a building or structure may be unsafe or unfit for human occupancy, shall cause an inspection thereof to be made by the Code Enforcement Officer and shall cause a report to be made containing the following information:

(3) A recommendation with respect to the repair or the demolition and removal of the building or structure.

Said report shall be filed in the Ulster County ~~Safety~~ Department **of Risk Management** or Ulster County Department of Health, respectively.

C. Notice and hearing. Upon a finding that a building or structure is unsafe or unfit for human occupancy, the Code Enforcement Officer shall notify the owner of record of the building or structure, and may notify all others having an interest therein, either personally or by certified mail, addressed to his or her last known address as shown by the records of the Ulster County Clerk.

(1) Such notice shall be in writing and shall contain:

(f) A statement that, in the event of the failure, neglect, or refusal to comply with the order to repair and make safe, or demolish and remove, the unsafe building or structure, the Ulster County ~~Safety~~ Department **of Risk Management** or Ulster County Department of Health is authorized to provide for the security of the building or structure or for its demolition and removal, to assess all expenses thereof against the land on which it is located and to institute legal action to recover the costs of demolition and removal of said unsafe building or structure, as well as legal fees and expenses; and

(4) In the event that the whereabouts of the owner of the unsafe building or structure are unknown and cannot be ascertained after the exercise of reasonable diligence by the Code Enforcement Officer, the Code Enforcement Officer shall execute an affidavit to

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that effect, which shall be filed in the Ulster County ~~Safety~~ Department **of Risk Management** or Ulster County Department of Health, as applicable. In such a case, notice shall be served by securely posting copy of said written notice on the unsafe building or structure in a conspicuous location.

- (5) In the event that the owner of the unsafe building or structure fails or refuses to comply with the order to make safe or demolish and remove said unsafe building or structure, and after a hearing has been held in accordance with this section, the Ulster County ~~Safety~~ Department **of Risk Management** or Ulster County Department of Health may cause said unsafe building or structure to be made safe or demolished and removed.

§ 166-12 Fire safety and property maintenance inspections.

- A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

- (3) Fire safety and property maintenance inspections of all multiple dwellings not included in Subsection A(1) or (2) of this section, and all nonresidential buildings, structures, uses and occupancies not included in Subsection A(1) or (2) of this section, shall be performed at least once every 12 months for properly opted out localities under the Environmental Sanitation Division, Ulster County Department of Health, and once every 12 months for County properties performed by the Ulster County ~~Safety~~ Department **of Risk Management**.

SECTION 22. Chapter 232 of the Code of the County of Ulster is hereby amended in part to read as follows:

§ 232-4 Living wage requirement.

- B. The living wage shall be an amount no less than \$17.70 per hour worked, in addition to retirement, health or other benefits received by the covered employee. This amount may be increased by resolution of the County Legislature to take into account current market conditions (e.g., inflation, changes in the consumer price index). Any such increase in the

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living wage shall be posted on the website for the Ulster County ~~Purchasing~~ Department of **General Services**.

§ 232-5 Exemptions and exclusions.

- A. Any provider of covered services to the County or its departments may submit a written application for an exemption on a form provided by the Department of ~~Purchasing~~ **General Services**. The ~~Purchasing~~ **Director of General Services** (Director), or designee, may require the provider to submit additional information or documentation to make a determination regarding the exemption request. Within 30 days of receiving a completed application and supporting documentation, if any, the Director must either grant or deny the applicant's request for an exemption and must notify the applicant of his or her determination. Notice of such determination shall also be filed with the Clerk of the Legislature within 10 days of making any such determination. All requests for exemption shall be reviewed on a case-by-case basis. The ~~Purchasing~~ Department of **General Services** shall publish guidelines for exemptions on its website.

§ 232-6 Requests for proposals and service contracts.

All requests for proposals and service contracts subject to this chapter shall include the following language:

- A. This contract is subject to the Ulster County Living Wage Act. It requires that, absent an exemption, all contractors having a service contract with the County shall pay their employees the living wage then in effect for the period during which services are being covered by this contract. The current living wage may be found on the website for the Ulster County ~~Purchasing~~ Department of **General Services**.

SECTION 23. Chapter 306, Article I, Section 306-6 of the Code of the County of Ulster is hereby amended in part to read as follows:

§ 306-6 Penalties for offenses.

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- A. Breach of contract. A violation of the provisions of this article shall be deemed a breach of contract and shall authorize the Director of ~~Purchasing~~ **General Services**, in cooperation with the County Attorney and any other officer or employee of the County deemed necessary by the County Attorney, to commence a civil breach of contract action against the violator of the provisions of this article. Damages sought shall be determined by the County Attorney but may include, but shall not be limited to, the cost of any consequential damages of the breach of contract. In addition, a determination by the Director of ~~Purchasing~~ **General Services** that the contract was awarded through shall make a finding that the contractor was not a responsible bidder and shall cause notice of such irresponsibility to be circulated in a form approved by the County Attorney to each other county in New York State. The County Attorney is further authorized to commence any necessary action to enjoin any violation of this article he or she believes to be occurring.

SECTION 24. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 25. EFFECTIVE DATE.

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