

# Local Law Filing

(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  
(Select one.)

of ORLEANS

Local Law No. 2 of the year 20<sup>22</sup>

A local law TO ADOPT AMENDMENTS TO THE NYS OPEN MEETINGS LAW FOR THE EXPANDED  
(Insert Title)  
USE OF VIDEOCONFERENCING

Be it enacted by the ORLEANS COUNTY LEGISLATURE of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of ORLEANS as follows:

SECTION 1: Purpose: The Orleans County Legislature intends by this local law to allow for expansion of the use of videoconferencing, under extraordinary circumstances, to conduct open meetings.

SECTION 2: Conditions:

After due consideration of the amendment and the requirements thereto, the Orleans Legislature of the County of Orleans, New York, adopts the expanded use of videoconferencing to conduct open meetings pursuant to the follow procedures:

- (a) Member of the Legislature shall be physically present at meetings, unless allowed remote attendance at locations that do not allow for in-person physical attendance by the public, under extraordinary circumstances.
- (b) The list of extraordinary circumstances is non-exhaustive, but shall include disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.
- (c) Members shall provide notice of the inability to attend a meeting to the Clerk of the Legislator at least twenty-four (24) hours prior to the meeting or as soon as reasonably able.

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

(d) The Chairman of the Legislature shall retain discretion over permitted extraordinary circumstances for the Legislature and for Standing Committees when that Committee Chair is unavailable.

(e) The Standing Committee Chairman or Vice Chairman, when available, shall retain discretion over permitted extraordinary circumstances for their committee.

(f) It is understood that members permitted to attend at a location that does not allow for in-person physical attendance by the public, will not count toward a quorum. Only members present at a physical location which allow for in-person attendance by the public, will count toward a quorum.

(g) Any member(s) of the public attending a meeting must be able to hear, see and identify any member of the public body who is attending remotely while the meeting is being conducted.

(h) If video conferencing is used to conduct a meeting, the public notice shall inform the public where they can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend.

(i) Meetings conducted using videoconferencing shall be recorded and those recordings shall be posted or linked within five (5) business days of the meeting and maintained for five (5) years thereafter. Recordings shall be transcribed upon request.

(j) In those meetings where videoconferencing is used the public shall be able to view the meeting via video and participate in the proceedings via videoconferencing in real time where public participation is authorized.

(k) Open meetings using videoconferencing shall use technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act.

(l) The in person participation requirements of the Resolution shall not apply during a state disaster emergency declared by the governor or a local state of emergency as declared by the chief executive of the county if it is determined that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

(m) These written procedures shall be conspicuously posted on the County's website and so stated in the Orleans County Rules of Procedure.

SECTION 3: Effective Date: This local law shall take effect immediately upon filing with the Secretary of State.

SECTION: 4 Severability: If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of the Local Law or in its application to the person, individual, corporation, firm partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5: Expiration: This local law shall be effective until July 1, 2024 as set forth by NYS in chapter 56 of the Laws of 2022.

(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. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the ORLEANS COUNTY LEGISLATURE on JULY 27 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)*  
on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**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) *(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ *(Elective Chief Executive Officer\*)*

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.

**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)(no approve) *(Name of Legislative Body)*  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)*  
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.

\* 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 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 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 \_\_\_\_ above.

*Lisa Stenshorn*

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

(Seal)

Date: August 2, 2022

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
HTTPS://DOS.NY.GOV

KATHY HOCHUL  
GOVERNOR

ROBERT J. RODRIGUEZ  
SECRETARY OF STATE

August 16, 2022

Lisa Stenshorn  
Orleans County Legislature  
14016 Route 31 W, Suite 201  
Albion NY 14411

**RE: County of Orleans, Local Law 2 2022, filed on August 5 2022**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492

**RECEIVED**

AUG 24 2022

ORLEANS COUNTY  
LEGISLATURE



**Department  
of State**