

(Please Use this Form for Filing your 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 Ontario  
~~City~~ of .....  
~~Town~~  
~~Village~~

Local Law No. 7 ..... of the year 19 84

A local law ..... creating administrative divisions of Ontario County Government and providing for the management thereof, and further clarifying management responsibilities of Division Managers and Department Heads, as amended

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

County Ontario, New York ..... as follows:  
~~City~~ of .....  
~~Town~~  
~~Village~~

**SECTION 1. LEGISLATIVE INTENT.**

The County of Ontario, through the Board of Supervisors, recognizes its responsibility in providing an efficient and accountable administrative government that provides for a clear delineation of responsibility and authority between the legislative function of the Board of Supervisors and that of the County government bureaucracy. In accomplishing this, the Board is cognizant that County Government and the problems that it addresses on a daily basis must be approached from a manageable and concise functional basis. Therefore, it is the intent of this Local Law to provide part of an administrative frame work that will achieve these goals. It is not the purpose or the intent of the Board of Supervisors in the adoption of this Local Law to in any way change the present structure of county government or to in any manner transfer to any department or to any other officer or employee of county government any power of the Board of Supervisors, or any other elected county official.

**SECTION 2. ESTABLISHMENT OF DIVISIONS.**

There shall be established the following Divisions: Financial Management; Health and Medical Services; Human Services; Governmental Operations; Planning and Development.

Within these Divisions the following departments, offices, functions are established and/or identified: Financial Management: County Budget, Expenditures & Investments; Non-departmental Contracts, Capital Improvements Financing, County Purchasing and Fixed Assets Inventory, Auditor, County Insurance Programs; Health and Medical Services: Mental Health, Health Related Facility, Physically Handicapped - Retarded Persons Facility (ARC), Employee Assistance Program, Youth Counseling, Empire Nine, FLHSA, Home Health Agency, Comprehensive Home Care, Physically Handicapped Children's Program, Public Health; Human Services: Social Services, Office for the Aging, Veterans Service Agency, County Historian, Youth Bureau, Nutrition Program, Housing Assistance Program, Weatherization Program, Community Action Program, Employment & Training Program, Cooperative Extension Liaison, Probation and Youth Care Facility; Governmental Operations: Real Property Tax Services, Board of Elections, Weights and Measures, County Printing Services, Central Mailing/Courier, Central Garage, Vehicular Equipment Inventory, Animal Disease Control, Facility and

(If additional space is needed, please attach sheets of the same size as this and number each)

Office Assignments; Planning and Development; Planning/County Planning Board, Economic Development/IDA, Grants, Environmental Conservation Agency, County Solid Waste Operations, Tourism and Promotion, Regional Planning Council, Agricultural Districting, Transportation of Handicapped Children, Soil Conservation, and Watershed Districts.

As new departments, agencies, and operations are authorized by the Board of Supervisors, the Board shall, by resolution, assign such functions to the foregoing divisions.

### **SECTION 3. APPOINTMENT AND REMOVAL OF DIVISION MANAGERS.**

The County Administrator shall be authorized to appoint, upon the approval of the Board of Supervisors, a Division Manager for each of the Divisions identified in Section 2 above, said appointments to be for terms commensurate with that of County Administrator. The Division Managers shall serve at the pleasure of the County Administrator, and may be removed from office by him in accordance with law.

### **SECTION 4. GENERAL POWERS AND DUTIES.**

Division Managers shall report to the County Administrator. The County Administrator may, from time to time, delegate to a Division Manager the responsibility to exercise general supervision over all departments, offices and agencies within the county structure.

### **SECTION 5. DIRECT SUPERVISION BY DIVISION MANAGERS.**

The Division Managers shall have direct supervision over those offices, agencies, operations, and programs that are not created as a department and thus the Division Manager is considered the department head or chief administrative official. All employees of these offices, agencies, operations, or programs shall report directly to the Division Managers. The Division Managers shall have direct supervision over department heads of those departments within the Division and general supervision over the operations of those Departments.

Division Managers shall be authorized to recommend to the County Administrator the appointment of Department Heads under their jurisdiction and for whom they have general or direct supervisory responsibilities.

### **SECTION 6. SPECIFIC POWERS AND DUTIES OF DIVISION MANAGERS.**

The Division Managers shall:

- a) Perform those specific tasks directed to be performed by them by the respective Standing Committees or by the County Administrator;
- b) Prepare those resolutions as may be directed and approved by the respective Standing Committee and deliver same to the Clerk of the Board's Office as directed by these Committees;
- c) Implement and enforce multi divisional policies as approved by the Board of Supervisors and/or as directed by the County Administrator;
- d) Be responsible for the maintenance of administrative files relating to those departments, offices, agencies, or operations which they are responsible for to insure prompt performance of annual or periodic duties of those departments, offices, agencies, or operations;
- e) Be responsible for the preparation and submission of those annual budgets under their direct supervision and responsible for the submission of those annual budgets under their general supervision;
- f) Not attend meetings called by someone other than themselves, unless authorized to do so by the Chairman of the Board of Supervisors, County Administrator, or Chairperson of the respective Standing Committee;
- g) Hold themselves available to individual Supervisors or Board Committees as resource persons;

- h) Supervise and be responsible for the preparation and distribution of minutes of any meeting called by the Chairman of the Board of Supervisors or Chairperson of the Standing Committee;
- i) At the direction of the Board of Supervisors, Standing Committee, or County Administrator to whom they are directly responsible, may act as a representative of Ontario County in inter/intra County functions relative to those departments and operations for which they are responsible;
- j) Research and prepare such administrative reports concerning the operations of the departments, offices, agencies, and operations under their jurisdiction as may be required by the Board of Supervisors, Standing Committee, or County Administrator;
- k) Have the administrative responsibility of recommending organization of staffing within any specific department, office, agency, or operation under their jurisdiction. In addition, where a Division Manager has direct supervision, he may transfer personnel to perform a temporary assignment and shall have the right to transfer personnel from one department to another where they have general supervision upon the approval of the County Administrator;
- l) Coordinate and be responsible for administrative activities within the Division in order to unify and provide for proper management of those departments, offices, agencies, and operations under their jurisdiction;
- m) Recommend to the County Administrator annual salaries and periodic adjustments thereto of those employees under their jurisdiction;
- n) Perform such other duties as may now or hereafter be conferred upon them by resolution of the Board of Supervisors or at the direction of the County Administrator.

**SECTION 7. ACTING DIVISION MANAGERS: DESIGNATION; POWERS AND DUTIES.**

The County Administrator shall, at his discretion and upon the approval of the Chairperson of the respective Standing Committee, designate another Division Manager or assume himself the responsibility to be the Acting Division Manager in the event that a Division Manager is absent from the County or unable to perform and exercise the powers and duties of his office. An Acting Division Manager shall have all the powers and duties of the Division Manager he is replacing during the period of his designation, or until a new Division Manager shall be appointed and shall assume the office.

**SECTION 8. DEPARTMENT HEADS: SPECIFIC POWERS AND DUTIES.**

- A) In addition to other powers and duties now conferred upon him by law, each Department Head shall:
  - 1. Perform those specific tasks directed to be performed by him by the Division Manager appointed to oversee the particular office or department, or by the County Administrator;
  - 2. Prepare those resolutions as may be directed and approved by the Division Manager and deliver said resolutions to the Clerk of the Board's office as directed by the Division Manager;
  - 3. Implement and enforce multi-divisional policies as approved by the Board of Supervisors or as directed by the Division Manager or County Administrator;
  - 4. Be responsible for the maintenance of administrative files relating to the Department, or offices, agencies, or operations for which he may be responsible, to insure prompt performance of annual or periodic duties of the department, offices, agencies, or operations.
  - 5. Be responsible for the preparation of those annual budgets under his direct supervision;

6. Not attend meetings called by someone other than himself unless authorized to do so by the County Administrator or Division Manager;
  7. Hold himself available to individual supervisors of the Board of Supervisors as a resource person;
  8. When requested by the Division Manager, be responsible for the preparation and distribution of minutes of any meeting called by the Chairperson of the Board of Supervisors or Chairperson of the Standing Committee overseeing the department;
  9. At the direction of the Division Manager to whom he is directly responsible, may act as a representative of Ontario County in inter/intra county functions relative to the department and those operations for which he is responsible;
  10. Research and prepare such administrative reports concerning the operations of the department, offices, and operations under his jurisdiction as may be required by the Division Manager;
  11. Have the administrative responsibility of recommending organization of staffing within any specific department, office, agency, or operation under his jurisdiction;
  12. Perform such other duties as may now or hereafter be conferred upon him by resolution of the Board of Supervisors or at the direction of his appointed Division Manager or County Administrator.
- B) For the purpose of this plan, the following offices shall be considered departments:
- County Attorney
  - Human Affairs
  - Public Health
  - Economic Development
  - Probation
  - Natural Disaster and Civil Defense
  - Board of Supervisors, Clerk
  - Elections
  - Veteran Service Agency
  - Weights and Measures

**SECTION 9. DEFINITIONS.**

- A. Direct Supervision: As used in this plan, this term refers to the situation where there is a specific activity, program or operation, but the Board of Supervisors has not created a specific department or office to manage it. Typically, there also is not a department head or a person in charge reporting to the Board of Supervisors.
- B. General Supervision: As used in this plan, this term refers to the situation where there is an existing formal department or office with a department head who is appointed by and reports to the Board of Supervisors. In these situations, the Department Head reports to a higher level administrative official usually on policy matters, major changes of procedures, budgets, personnel matters, and so on. Normally the Department Head in this situation is responsible for the day to day running of the department.

**SECTION 10. SEPARABILITY.**

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

**SECTION 11. EFFECTIVE DATE.**

This Local Law shall take effect on January 1, 1985.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. 7 of 19 84.  
County Cuyahoga of Ontario was duly passed by the Board of Supervisors  
~~Town~~ Village (Name of Legislative Body)  
on December 13 19 84 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,\* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19 \_\_\_\_\_  
County \_\_\_\_\_  
City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
Village \_\_\_\_\_ (Name of Legislative Body)  
on \_\_\_\_\_ 19 \_\_\_\_\_ and was approved \_\_\_\_\_ by the \_\_\_\_\_  
not disapproved \_\_\_\_\_ Elective Chief Executive Officer \*  
repassed after disapproval \_\_\_\_\_  
and was deemed duly adopted on \_\_\_\_\_ 19 \_\_\_\_\_, 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 19 \_\_\_\_\_  
County \_\_\_\_\_  
City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
Village \_\_\_\_\_ (Name of Legislative Body)  
on \_\_\_\_\_ 19 \_\_\_\_\_ and was approved \_\_\_\_\_ by the \_\_\_\_\_  
not disapproved \_\_\_\_\_ Elective Chief Executive Officer \*  
repassed after disapproval \_\_\_\_\_  
on \_\_\_\_\_ 19 \_\_\_\_\_. Such local law was submitted to the people by reason of a mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the special election held on \_\_\_\_\_ 19 \_\_\_\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19 \_\_\_\_\_  
County \_\_\_\_\_  
City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
Village \_\_\_\_\_ (Name of Legislative Body)  
On \_\_\_\_\_ 19 \_\_\_\_\_ not disapproved \_\_\_\_\_  
and was approved \_\_\_\_\_ by the \_\_\_\_\_  
repassed after disapproval \_\_\_\_\_ Elective Chief Executive Officer \*  
On \_\_\_\_\_ 19 \_\_\_\_\_. Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on \_\_\_\_\_ 19 \_\_\_\_\_, in accordance with the applicable provisions of law.

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\* 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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 § 36 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 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 of 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.

Lorraine M. Brooks  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: December 18, 1984

Lorraine M. Brooks, Deputy Clerk,  
Board of Supervisors of Ontario County

(Seal)

(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 ..... ONTARIO .....

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

John W. Park, Ontario County Attorney  
Title

Date: December 18, 1984

County  
City of ..... ONTARIO  
Town  
Village