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LOCAL LAW NO. 2, 1998

A LOCAL LAW PREVENTING DISCRIMINATION BASED UPON SEXUAL OR AFFECTIONAL PREFERENCE OR SEXUAL ORIENTATION IN ONONDAGA COUNTY AND ESTABLISHING A FAIR PRACTICES LAW

BE IT ENACTED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

ARTICLE I

Purpose

Existing state and federal human rights laws guarantee protection against discrimination based upon race, creed, sex, color, national origin, marital status, physical and mental disability. These laws do not, however, provide similar protection against discrimination based upon sexual or affectional preference or sexual orientation. The purpose of this law is to ensure, under the police powers granted to the County of Onondaga, that every individual in the County of Onondaga shall enjoy protection from discrimination based upon her or his sexual or affectional preference or sexual orientation.

This law is created to eliminate and prevent discrimination based upon sexual or affectional preference or sexual orientation: (1) in employment; (2) in places of public accommodation, resort or amusement; (3) in educational institutions; (4) in public services; (5) in housing accommodations; and (6) in commercial space.

ARTICLE II

Equality of opportunity a civil right

The opportunity to obtain employment without discrimination based upon sexual or affectional preference or sexual orientation, as specified in this law, is hereby recognized as and declared to be a civil right.

The opportunity to obtain education, the use of places of public accommodation and the ownership, use and occupancy of housing accommodation and commercial space without discrimination based upon sexual or affectional preference or sexual orientation, as specified in this law, is hereby recognized as and declared to be a civil right.

ARTICLE III

Definitions

When used in this law:

1. The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.
2. The term "employment agency" includes any person undertaking to procure employees or opportunities to work.
3. The term "labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.
4. The term "unlawful discriminatory practice" includes only those practices specified in this law.
5. The term "employer" does not include any employer with fewer than four persons in her or his employ.
6. The term "employee" in this law does not include any individual employed by her or his parents, spouse or child, or in the domestic service of any person.
7. The term "place of public accommodation, resort or amusement" shall include, except as hereinafter specified, all places included in the meaning of such terms as: inns, taverns, road houses, hotels, motels, whether conducted for the entertainment of transient guests or for the accommodation of those seeking health, recreation or rest, or restaurants, or eating houses, or any place where food is sold for consumption on the premises; buffets, saloons, barrooms, or any store, park or enclosure where spirituous or malt liquors are sold; ice cream parlors, confectioneries, soda fountains, and all stores where ice cream, ice and fruit preparations or their derivatives, or where beverages of any kind are retailed for consumption on the premises; wholesale and retail stores and establishments dealing with

goods or services of any kind, dispensaries, clinics, hospitals, bath-houses, swimming pools, laundries and all other cleaning establishments, barber shops, beauty parlors, theaters, motion picture houses, roof gardens, music halls, race courses, skating rinks, amusement and recreation parks, trailer camps, resort camps, fairs, bowling alleys, golf courses, gymnasiums, shooting galleries, billiard and pool parlors; garages, all public conveyances operated on land or water or in the air, as well as the stations and terminals thereof; travel or tour advisory services, agencies or bureaus; public halls and public elevators of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants. Such term shall not include public libraries, kindergartens, primary and secondary schools, high schools, academies, colleges and universities, extension courses, and all educational institutions under the supervision of the regents of the state of New York; any such public library, kindergarten, primary and secondary school, academy, college, university, professional school, extension course or other education facility, supported in whole or in part by public funds or by contributions solicited from the general public; or any institution, club or place of accommodation which is in its nature distinctly private. In no event shall an institution, club or place of accommodation be considered in its nature distinctly private if it has more than one hundred members, provides regular meal service and regularly receives payment for dues, fees, use of space, facilities, services, meals or beverages directly or indirectly from or on behalf of a nonmember for the furtherance of trade or business. An institution, club or place of accommodation which is not deemed distinctly private pursuant to this subdivision may nevertheless apply such selective criteria as it chooses in the use of its facilities, in evaluating applicants for membership and in the conduct of its activities, so long as such selective criteria do not constitute discriminatory practices under this article or any other provision of law. For the purposes of this section, a corporation incorporated under the benevolent orders law or described in the benevolent orders law but formed under any other law of this state or a religious corporation incorporated under the education law or the religious corporations law shall be deemed to be in its nature distinctly private.

No institution, club, organization or place of accommodation which sponsors or conducts any amateur athletic contest or sparring exhibition and advertises or bills such contest or exhibition as a New York state champion-ship contest or uses the words "New York state" in its announcements shall be deemed a private exhibition within the meaning of this section.

8. The term "housing accommodation" includes any building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one or more human beings.

9. The term "publicly-assisted housing accommodations" shall include all housing accommodations within the County of Onondaga in

- (a) public housing,
- (b) housing operated by housing companies under the supervision of the commissioner of housing,
- (c) housing constructed after July first, nineteen hundred fifty, within the State of New York;

(1) which is exempt in whole or in part from taxes levied by the state or any of its political subdivisions,

(2) which is constructed on land sold below cost by the state or any of its political subdivisions or any agency thereof, pursuant to the federal housing act of nineteen hundred forty-nine,

(3) which is constructed in whole or in part on property acquired or assembled by the state or any of its political subdivisions or any agency thereof through the power of condemnation or otherwise for the purpose of such construction, or

(4) for the acquisition, construction, repair or maintenance of which the state or any of its political subdivisions or any agency thereof supplies funds or other financial assistance,

(d) housing which is located in a multiple dwelling, the acquisition, construction, rehabilitation, repair or maintenance of which is, after July first, nineteen hundred fifty-five, financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions or any agency thereof, provided that such a housing accommodation shall be deemed to be publicly assisted only during the life of such loan and such guaranty or insurance; and

(e) housing which is offered for sale by a person who owns or otherwise controls the sale of ten or more housing accommodations located on land that is contiguous (exclusive of public streets), if (1) the acquisition, construction, rehabilitation, repair or maintenance of such housing accommodations is, after July first, nineteen hundred fifty-five, financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions or any agency thereof, provided that such a housing accommodation shall be deemed to be publicly assisted only during the life of such loan and guaranty or insurance, or (2) a commitment, issued by a government agency after July first, nineteen hundred fifty-five, is outstanding that acquisition of such housing accommodations may be financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed

or insured by the federal government or any agency thereof, or the state or any of its political subdivisions or any agency thereof.

10. The term "multiple dwelling", as herein used, means a dwelling which is occupied, as a rule, for permanent residence purposes and which is either rented, leased, let or hired out, to be occupied as the residence or home of three or more families living independently of each other. A "multiple dwelling" shall not be deemed to include a hospital, convent, monastery, asylum or public institution, or a fireproof building used wholly for commercial purposes except for not more than one janitor's apartment and not more than one penthouse occupied by not more than two families. The term "family," as used herein, means either a person occupying a dwelling and maintaining a household, with not more than four boarders, roomers or lodgers, or two or more persons occupying a dwelling, living together and maintaining a common household, with not more than four boarders, roomers or lodgers. A "boarder," "roomer" or "lodger" residing with a family means a person living within the household who pays a consideration for such residence and does not occupy such space within the household as an incident of employment therein.

11. The term "commercial space" means any space in a building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied for the manufacture, sale, resale, processing, reprocessing, displaying, storing, handling, garaging or distribution of personal property; and any space which is used or occupied, or is intended, arranged or designed to be used or occupied as a separate business or professional unit or office in any building, structure or portion thereof.

12. The term "real estate broker" means any person, firm or corporation who for another and for a fee, commission or other valuable consideration, lists for sale, sells, at auction or otherwise, exchanges, buys or rents, or offers or attempts to negotiate a sale, at auction or otherwise, exchange, purchase or rental of an estate or interest in real estate, or collects or offers or attempts to collect rent for the use of real estate, or negotiates, or offers or attempts to negotiate, a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate. In the sale of lots pursuant to the provisions of article nine-a of the real property law, the term "real estate broker" shall also include any person, partnership, association or corporation employed by or on behalf of the owner or owners of lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise, to sell such real estate, or any parts thereof, in lots or other parcels, and who shall sell or exchange, or offer or attempt or agree to negotiate the sale or exchange, of any such lot or parcel of real estate.

13. The term "real estate salesman" means a person employed by a licensed real estate broker to list for sale, sell or offer for sale, at auction or otherwise, to buy or offer to buy or to negotiate the purchase or sale or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent or place for rent any real estate, or who collects or offers or attempts to collect rent for the use of real estate for or in behalf of such real estate broker.

14. The term "discrimination" shall include segregation and separation.

15. Sexual or affectional preference or sexual orientation shall mean heterosexuality, homosexuality, bisexuality, or non-sexuality, actual or perceived. Heterosexuality shall mean those persons sexually attracted to members of the opposite sex; homosexuality shall mean those persons sexually attracted to members of the same sex; bisexuality shall mean those persons sexually attracted to both sexes; and nonsexuality shall mean those persons sexually attracted to neither sex.

ARTICLE IV UNLAWFUL DISCRIMINATORY PRACTICES

Unlawful discriminatory practices, employment

1. It shall be an unlawful discriminatory practice:

(a) For an employer or licensing agency, because of the sexual or affectional preference or sexual orientation of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

(b) For an employment agency to discriminate against any individual because of her or his sexual or affectional preference or sexual orientation, in receiving, classifying, disposing or otherwise acting upon applications for its services or in referring an applicant or applicants to an employer or employers.

(c) For a labor organization, because of the sexual or affectional preference or sexual orientation of any individual, to exclude or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer, because of her or his sexual or affectional preference or sexual orientation.

(d) For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses directly or indirectly, any limitations, specification or discrimination as to sexual or affectional preference or sexual orientation, or any intent to make any such limitation, specification or discrimination.

(e) For any employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because she or he has opposed any practices forbidden under this law or because she or he has filed a complaint, testified or assisted in any proceeding under this law.

2. It shall be an unlawful discriminatory practice for an employer, labor organization, employment agency or any joint labor-management committee controlling apprentice training programs:

(a) To deny to or withhold from any person because of her or his sexual or affectional preference or sexual orientation, the right to be admitted to or participate in a guidance program, an apprenticeship training program, on-the-job training program, executive training program, or other occupational training or retraining program;

(b) To discriminate against any person in her or his pursuit of such programs or to discriminate against such a person in the terms, conditions or privileges of such programs because of her or his sexual or affectional preference or sexual orientation;

(c) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for such programs or to make any inquiry in connection with such program which expresses, directly or indirectly, any limitation, specification or discrimination as to sexual or affectional preference or sexual orientation, or any intention to make any such limitation, specification or discrimination.

Unlawful discriminatory practices, public accommodation

3. It shall be an unlawful discriminatory practice for any person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement, because of the sexual or affectional preference or sexual orientation of any person, directly or indirectly, to refuse, withhold from or deny to such person any of the accommodations, advantages, facilities or privileges thereof, including the extension of credit, or, directly or indirectly, to publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement, to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of her or his sexual or affectional preference or sexual orientation or that the patronage or custom thereof of any person by virtue of her or his sexual or affectional preference or sexual orientation is unwelcome, objectionable or not acceptable, desired or solicited.

4. It shall be an unlawful discriminatory practice for an education corporation or association which holds itself out to the public to be nonsectarian and exempt from taxation pursuant to the provisions of article four of the real property tax law to deny the use of its facilities to any person otherwise qualified, by reason of her or his sexual or affectional preference or sexual orientation.

Unlawful discriminatory practices, housing accommodation and commercial space

5. It shall be an unlawful discriminatory practice for the owner, lessee, sublessee, assignee, or managing agent of publicly-assisted housing accommodations or other person having the right of ownership or possession of or the right to rent or lease such accommodations, to the extent not inconsistent with federal or state law:

(a) To refuse to rent or lease or otherwise to deny to or withhold from any person or group of persons such housing accommodations because of the sexual or affectional preference or sexual orientation of such person or persons.

(b) To discriminate against any person because of her or his sexual or affectional preference or sexual orientation in the terms, conditions or privileges of any publicly-assisted housing accommodations or in the furnishing of facilities or services in connection therewith.

(c) To cause to be made any written or oral inquiry or record concerning the sexual or affectional preference or sexual orientation of a person seeking to rent or lease any publicly-assisted housing accommodation.

6. It shall be an unlawful discriminatory practice for any real estate broker, real estate salesman or employee or agent thereof or any other individual, corporation, partnership or organization for the purpose of inducing a real estate transaction from which any such person or any of its stockholders or members may benefit financially, to represent that a change has occurred or will or may occur in the composition with respect to the sexual or affectional preference or sexual orientation of the owners or occupants in the block, neighborhood or area in which the real property is located, and to represent, directly or indirectly, that this change will or may result in undesirable consequences in the block,

neighborhood or area in which the real property is located, including but not limited to the lowering of property values, an increase in criminal or anti-social behavior, or a decline in the quality of schools or other facilities.

7. It shall be an unlawful discriminatory practice for the owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease a housing accommodation, constructed or to be constructed, or any agent or employee thereof:

(a) To refuse to sell, rent, lease or otherwise to deny to or withhold from any person or group of persons such a housing accommodation because of the sexual or affectional preference or sexual orientation of such person or persons.

(b) To discriminate against any person because of her or his sexual or affectional preference or sexual orientation in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or in the furnishing of facilities or services in connection therewith.

(c) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such housing accommodation or to make any record or inquiry in connection with the prospective purchase, rental or lease of such a housing accommodation which expresses, directly or indirectly, any limitation, specification or discrimination as to sexual or affectional preference or sexual orientation or any intent to make any such limitation, specification or discrimination.

The provisions of this section seven of this law shall not apply (1) to the rental of a housing accommodation in a building which contains housing accommodations for not more than two families living independently of each other, if the owner or members of his family reside in one of such housing accommodations, or (2) to the rental of a room or rooms in a housing accommodation, if such rental is by the occupant of the housing accommodation or by the owner of the housing accommodation and she or he or members of her or his family reside in such housing accommodation.

8. It shall be an unlawful discriminatory practice for the owner, lessee, sublessee, or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent or lease, land or commercial space:

(a) To refuse to sell, rent, lease or otherwise deny to or withhold from any person or group of persons such commercial space because of the sexual or affectional preference or sexual orientation of such person or persons.

(b) To discriminate against any person because of her or his sexual or affectional preference or sexual orientation in the terms, conditions or privileges of the sale, rental or lease of any such land or commercial space; or in the furnishing of facilities or services in connection therewith.

(c) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such land or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of such land or commercial space which expresses, directly or indirectly, any limitation, specification or discrimination as to sexual or affectional preference or sexual orientation; or any intent to make any such limitation, specification or discrimination.

9. It shall be an unlawful discriminatory practice for any real estate broker, real estate salesman or employee or agent thereof:

(a) To refuse to sell, rent or lease any housing accommodation, land or commercial space to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing accommodation, land or commercial space to any person or group of persons because of the sexual or affectional preference or sexual orientation of such person or persons, or to represent that any housing accommodation, land or commercial space is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or any facilities of any housing accommodation, land or commercial space from any persons or group of persons because of the sexual or affectional preference or sexual orientation of such person or persons.

(b) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space which expresses, directly or indirectly, any limitation, specification, or discrimination as to sexual or affectional preference or sexual orientation; or any intent to make any such limitation, specification or discrimination.

Unlawful discriminatory practices, general

10. The provisions of this law shall apply throughout the geographic limits of the County of Onondaga as defined in the County Charter.

11. It shall be an unlawful discriminatory practice for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this law, or to attempt to do so.

12. It shall be an unlawful discriminatory practice for any person engaged in any activity to which this law applies to retaliate or discriminate against any person because she or he has opposed any practices forbidden under this law or because she or he has filed a complaint, testified or assisted in any proceeding under this law.

13. Nothing contained in this law shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, from limiting employment or sales or rental of housing accommodations or admission to or giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained.

ARTICLE V Construction

The provisions of this law shall be liberally construed for the accomplishment of the purposes thereof.

ARTICLE VI Statute of Limitations

Any action brought for violation of this law must be commenced within one year after the alleged unlawful discriminatory practice.

ARTICLE VII Enforcement

Any person who is aggrieved by an unlawful discriminatory practice set forth in this law shall have a cause of action in any court of appropriate jurisdiction for damages and such other remedies as may be appropriate, together with reasonable attorneys' fees to be fixed by the court.

If the court should find a violation of this law, it may take such action as may be appropriate, including but not limited to: requiring such party to cease and desist from such unlawful discriminatory practice; requiring such party to take such affirmative action, including (but not limited to) hiring, reinstatement or upgrading of employees, with or without back pay; restoration to membership in any labor organization, admission to or participation in a guidance program, apprenticeship training program, on-the-job training program or other occupational training or retraining program; the extension of full, equal and unsegregated accommodations, advantages, facilities and privileges to all persons; granting the credit which was the subject of any complaint; and the awarding of compensatory damages to the person aggrieved by the unlawful discriminatory practice.

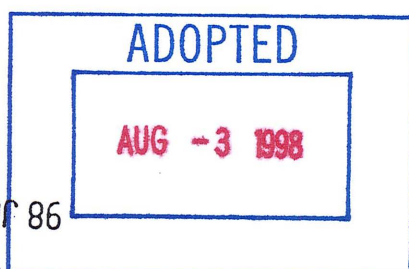
ARTICLE VIII Severability

If any part or provision of this law, or the application thereof to any individual or circumstance, is held invalid, the remainder of the law shall not be affected thereby and shall continue in full force and effect.

ARTICLE IX Effective Date

This law shall become effective immediately upon filing with the Secretary of State.

PROPOS.LL
LHT/ds



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RECEIVED
ONONDAGA COUNTY
LEGISLATURE

NOTICE OF PUBLIC HEARING ON LOCAL LAW

NOTICE IS HEREBY GIVEN, that there has been duly presented to the County Legislature of the County of Onondaga, on August 3, 1998, local law entitled "A LOCAL LAW PREVENTING DISCRIMINATION BASED UPON SEXUAL OR AFFECTIONAL PREFERENCE OR SEXUAL ORIENTATION IN ONONDAGA COUNTY AND ESTABLISHING A FAIR PRACTICES LAW".

NOTICE IS FURTHER GIVEN, that the Onondaga County Executive will conduct a public hearing pursuant to law on the aforesaid local law at the Legislators' Chambers, County Court House, Syracuse, New York, at 11:05 a.m. on the 17th day of August, 1998, at which time all persons interested will be heard.

DATED: August 5, 1998

I, NANCY J. SKAHEN, Clerk of the County Legislature of Onondaga County, New York, do hereby certify that on the 5th day of August, 1998, the above notice was posted in the west lobby of the Court House on the bulletin board.



NANCY J. SKAHEN, Clerk
Onondaga County Legislature

PROOF OF PUBLICATION

State of New York, County of Onondaga ss, Ann M. Ingalls, of the City of Syracuse, in said County, being duly sworn, doth depose and says: she is the Principal Clerk in the office of the HERALD-JOURNAL, a public newspaper, published in the City of Syracuse, Onondaga County, New York; and that the notice, of which the annexed is a printed copy cut from said newspaper, was printed and published in the regular edition and issue of said newspaper on the following days, viz.:

COUNTY LEGISLAT? URE

Ad #57108 PD # NOTICE OF PUBL

Paper PS Start 8/17 Stop 8/17

Times 1

Runs

Paper HJ Start 8/17 Stop 8/17

Times 1

Runs

Text NOTICE OF PUBLIC

Ann M. Ingalls

Principal Clerk

Subscribed and Sworn to before me, this 1

Marquante E. Soucy 5/14/08

NOTARY PUBLIC, ONONDAGA COUNTY, NY Commission Expires

NOTICE OF PUBLIC HEARING
ON LOCAL LAW, NOTICE IS
HEREBY GIVEN, that there has
been duly presented to the
County Legislature of the County
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SEXUAL OR AFFECTIONAL
PREFERENCE OR SEXUAL
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will conduct a public hearing
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Chambers, County Court House,
Syracuse, New York, at 11:05
a.m. on the 17th day of August,
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interested will be heard. DAT-
ED: August 5, 1998, I, NANCY J.
SKAHEN, Clerk of the County
Legislature of Onondaga Coun-
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that on the 5th day of August,
1998, the above notice was post-
ed in the west lobby of the Court
House on the bulletin board.
NANCY J. SKAHEN, Clerk, On-
ondaga County Legislature.

August 19 98



COUNTY OF ONONDAGA
OFFICE OF THE COUNTY EXECUTIVE

NICHOLAS J. PIRRO
COUNTY EXECUTIVE

EDWARD KOCHIAN
DEPUTY COUNTY EXECUTIVE

MARTIN A. FARRELL
EXECUTIVE COMMUNICATION DIRECTOR

JOHN H. MULROY CIVIC CENTER
421 MONTGOMERY STREET - 14TH FLOOR
SYRACUSE, NEW YORK 13202-2995

315 - 435-3516
FAX: 315 - 435-8582

JAMES A. ALBANESE
ADMINISTRATOR - PHYSICAL SERVICES

LYNN A. SHEPARD
ADMINISTRATOR - HUMAN SERVICES

SUSAN J. TORMEY
RESEARCH & COMMUNICATION OFFICER

August 21, 1998

REPORT OF THE COUNTY EXECUTIVE ON LOCAL LAW ____ OF 1998

TO THE CLERK OF THE ONONDAGA COUNTY LEGISLATURE:

Pursuant to Article 3 of the Municipal Home Rule Law, the undersigned has held a Public Hearing on August 17, 1998 in the Legislative Chambers of the Onondaga County Legislature, Court House, Syracuse, New York, to consider Local Law No. ____ of 1998, entitled, "A Local Law Preventing Discrimination Based Upon Sexual or Affectional Preference or Sexual Orientation in Onondaga County and Established a Fair Practices Law". The law creates a cause of action and authorizes a lawsuit for damages for discrimination based upon actual or perceived sexual or affectional preference or sexual orientation in employment, places of public accommodation, resort or amusement, educational institutions, public services, housing accommodations, or commercial space.

The underlying concept of this Local Law is to protect our citizens from discrimination and thus a good one. As we prepare ourselves and our community for the challenges of the new millennium, ensuring the rights of our citizens to fully participate in community life is an appropriate action of government. On balance, only those who would choose to discriminate need to be concerned with this law. Therefore, I find that the law is beneficial and hereby approve the aforesaid Local Law.

Respectfully submitted,

Nicholas J. Pirro
Onondaga County Executive

98 AUG 21 PM 3:33

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

100 % RECYCLED PAPER



COUNTY OF ONONDAGA

Office of the County Legislature

407 COURT HOUSE
SYRACUSE, NEW YORK 13202
435-2070

NANCY J. SKAHEN
CLERK

WILLIAM SANFORD
CHAIRMAN

CYNTHIA J. KENT
DEPUTY CLERK

August 26, 1998

Alexander Treadwell
Secretary of State
State Department of Records
Department of State
162 Washington Avenue
Albany, New York 12231

Dear Mr. Treadwell:

I am enclosing a copy of Local Law No. 2 of 1998, approved by the Onondaga County Legislature, to be filed in the Office of the Secretary of State.

Please acknowledge receipt.

Thank you.

Very truly yours,

A handwritten signature in cursive script, reading "Cynthia J. Miano".

CYNTHIA J. MIANO, Deputy Clerk
Onondaga County Legislature

enc.

(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~~ of ONONDAGA
~~Town~~
~~Village~~

Local Law No. 2 of the year 19 98

A local law PREVENTING DISCRIMINATION BASED UPON SEXUAL OR AFFECTIONAL PREFERENCE OR SEXUAL ORIENTATION IN (Insert Title) ONONDAGA COUNTY AND ESTABLISHING A FAIR PRACTICES LAW

Be it enacted by the County Legislature of the
(Name of Legislative Body)

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

ARTICLE I
Purpose

Existing state and federal human rights laws guarantee protection against discrimination based upon race, creed, sex, color, national origin, marital status, physical and mental disability. These laws do not, however, provide similar protection against discrimination based upon sexual or affectional preference or sexual orientation. The purpose of this law is to ensure, under the police powers granted to the County of Onondaga, that every individual in the County of Onondaga shall enjoy protection from discrimination based upon her or his sexual or affectional preference or sexual orientation.

This law is created to eliminate and prevent discrimination based upon sexual or affectional preference or sexual orientation: (1) in employment; (2) in places of public accommodation, resort or amusement; (3) in educational institutions; (4) in public services; (5) in housing accommodations; and (6) in commercial space.

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Equality of opportunity a civil right

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The opportunity to obtain education, the use of places of public accommodation and the ownership, use and occupancy of housing accommodation and commercial space without discrimination based upon sexual or affectional preference or sexual orientation, as specified in this law, is hereby recognized as and declared to be a civil right.

ARTICLE III
Definitions

When used in this law:

(If additional space is needed, attach pages the same size as this sheet, and number each.)
(1)

1. The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.
2. The term "employment agency" includes any person undertaking to procure employees or opportunities to work.
3. The term "labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.
4. The term "unlawful discriminatory practice" includes only those practices specified in this law.
5. The term "employer" does not include any employer with fewer than four persons in her or his employ.
6. The term "employee" in this law does not include any individual employed by her or his parents, spouse or child, or in the domestic service of any person.
7. The term "place of public accommodation, resort or amusement" shall include, except as hereinafter specified, all places included in the meaning of such terms as: inns, taverns, road houses, hotels, motels, whether conducted for the entertainment of transient guests or for the accommodation of those seeking health, recreation or rest, or restaurants, or eating houses, or any place where food is sold for consumption on the premises; buffets, saloons, barrooms, or any store, park or enclosure where spirituous or malt liquors are sold; ice cream parlors, confectioneries, soda fountains, and all stores where ice cream, ice and fruit preparations or their derivatives, or where beverages of any kind are retailed for consumption on the premises; wholesale and retail stores and establishments dealing with goods or services of any kind, dispensaries, clinics, hospitals, bath-houses, swimming pools, laundries and all other cleaning establishments, barber shops, beauty parlors, theaters, motion picture houses, roof gardens, music halls, race courses, skating rinks, amusement and recreation parks, trailer camps, resort camps, fairs, bowling alleys, golf courses, gymnasiums, shooting galleries, billiard and pool parlors; garages, all public conveyances operated on land or water or in the air, as well as the stations and terminals thereof, travel or tour advisory services, agencies or bureaus; public halls and public elevators of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants. Such term shall not include public libraries, kindergartens, primary and secondary schools, high schools, academies, colleges and universities, extension courses, and all educational institutions under the supervision of the regents of the state of New York; any such public library, kindergarten, primary and secondary school, academy, college, university, professional school, extension course or other education facility, supported in whole or in part by public funds or by contributions solicited from the general public; or any institution, club or place of accommodation which is in its nature distinctly private. In no event shall an institution, club or place of accommodation be considered in its nature distinctly private if it has more than one hundred members, provides regular meal service and regularly receives payment for dues, fees, use of space, facilities, services, meals or beverages directly or indirectly from or on behalf of a nonmember for the furtherance of trade or business. An institution, club or place of accommodation which is not deemed distinctly private pursuant to this subdivision may nevertheless apply such selective criteria as it chooses in the use of its facilities, in evaluating applicants for membership and in the conduct of its activities, so long as such selective criteria do not constitute discriminatory practices under this article or any other provision of law. For the purposes of this section, a corporation incorporated under the benevolent orders law or described in the benevolent orders law but formed under any other law of this state or a religious corporation incorporated under the education law or the religious corporations law shall be deemed to be in its nature distinctly private.

No institution, club, organization or place of accommodation which sponsors or conducts any amateur athletic contest or sparring exhibition and advertises or bills such contest or exhibition as a New York state championship contest or uses the words "New York state" in its announcements shall be deemed a private exhibition within the meaning of this section.

8. The term "housing accommodation" includes any building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one or more human beings.

9. The term "publicly-assisted housing accommodations" shall include all housing accommodations within the County of Onondaga in

- (a) public housing,
- (b) housing operated by housing companies under the supervision of the commissioner of housing,
- (c) housing constructed after July first, nineteen hundred fifty, within the State of New York;

(1) which is exempt in whole or in part from taxes levied by the state or any of its political subdivisions,

(2) which is constructed on land sold below cost by the state or any of its political subdivisions or any agency thereof, pursuant to the federal housing act of nineteen hundred forty-nine,

(3) which is constructed in whole or in part on property acquired or assembled by the state or any of its political subdivisions or any agency thereof through the power of condemnation or otherwise for the purpose of such construction, or

(4) for the acquisition, construction, repair or maintenance of which the state or any of its political subdivisions or any agency thereof supplies funds or other financial assistance,

(d) housing which is located in a multiple dwelling, the acquisition, construction, rehabilitation, repair or maintenance of which is, after July first, nineteen hundred fifty-five, financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions or any agency thereof, provided that such a housing accommodation shall be deemed to be publicly assisted only during the life of such loan and such guaranty or insurance; and

(e) housing which is offered for sale by a person who owns or otherwise controls the sale of ten or more housing accommodations located on land that is contiguous (exclusive of public streets), if (1) the acquisition, construction, rehabilitation, repair or maintenance of such housing accommodations is, after July first, nineteen hundred fifty-five, financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions or any agency thereof, provided that such a housing accommodation shall be deemed to be publicly assisted only during the life of such loan and guaranty or insurance, or (2) a commitment, issued by a government agency after July first, nineteen hundred fifty-five, is outstanding that acquisition of such housing accommodations may be financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions or any agency thereof.

10. The term "multiple dwelling", as herein used, means a dwelling which is occupied, as a rule, for permanent residence purposes and which is either rented, leased, let or hired out, to be occupied as the residence or home of three or more families living independently of each other. A "multiple dwelling" shall not be deemed to include a hospital, convent, monastery, asylum or public institution, or a fireproof building used wholly for commercial purposes except for not more than one janitor's apartment and not

more than one penthouse occupied by not more than two families. The term "family," as used herein, means either a person occupying a dwelling and maintaining a household, with not more than four boarders, roomers or lodgers, or two or more persons occupying a dwelling, living together and maintaining a common household, with not more than four boarders, roomers or lodgers. A "boarder," "roomer" or "lodger" residing with a family means a person living within the household who pays a consideration for such residence and does not occupy such space within the household as an incident of employment therein.

11. The term "commercial space" means any space in a building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied for the manufacture, sale, resale, processing, reprocessing, displaying, storing, handling, garaging or distribution of personal property; and any space which is used or occupied, or is intended, arranged or designed to be used or occupied as a separate business or professional unit or office in any building, structure or portion thereof.

12. The term "real estate broker" means any person, firm or corporation who for another and for a fee, commission or other valuable consideration, lists for sale, sells, at auction or otherwise, exchanges, buys or rents, or offers or attempts to negotiate a sale, at auction or otherwise, exchange, purchase or rental of an estate or interest in real estate, or collects or offers or attempts to collect rent for the use of real estate, or negotiates, or offers or attempts to negotiate, a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate. In the sale of lots pursuant to the provisions of article nine-a of the real property law, the term "real estate broker" shall also include any person, partnership, association or corporation employed by or on behalf of the owner or owners of lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise, to sell such real estate, or any parts thereof, in lots or other parcels, and who shall sell or exchange, or offer or attempt or agree to negotiate the sale or exchange, of any such lot or parcel of real estate.

13. The term "real estate salesman" means a person employed by a licensed real estate broker to list for sale, sell or offer for sale, at auction or otherwise, to buy or offer to buy or to negotiate the purchase or sale or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent or place for rent any real estate, or who collects or offers or attempts to collect rent for the use of real estate for or in behalf of such real estate broker.

14. The term "discrimination" shall include segregation and separation.

15. Sexual or affectional preference or sexual orientation shall mean heterosexuality, homosexuality, bisexuality, or non-sexuality, actual or perceived. Heterosexuality shall mean those persons sexually attracted to members of the opposite sex; homosexuality shall mean those persons sexually attracted to members of the same sex; bisexuality shall mean those persons sexually attracted to both sexes; and nonsexuality shall mean those persons sexually attracted to neither sex.

ARTICLE IV UNLAWFUL DISCRIMINATORY PRACTICES

Unlawful discriminatory practices, employment

1. It shall be an unlawful discriminatory practice:

(a) For an employer or licensing agency, because of the sexual or affectional preference or sexual orientation of any individual, to refuse to hire or employ or to bar or to discharge from employment such

individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

(b) For an employment agency to discriminate against any individual because of her or his sexual or affectional preference or sexual orientation, in receiving, classifying, disposing or otherwise acting upon applications for its services or in referring an applicant or applicants to an employer or employers.

(c) For a labor organization, because of the sexual or affectional preference or sexual orientation of any individual, to exclude or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer, because of her or his sexual or affectional preference or sexual orientation.

(d) For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses directly or indirectly, any limitations, specification or discrimination as to sexual or affectional preference or sexual orientation, or any intent to make any such limitation, specification or discrimination.

(e) For any employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because she or he has opposed any practices forbidden under this law or because she or he has filed a complaint, testified or assisted in any proceeding under this law.

2. It shall be an unlawful discriminatory practice for an employer, labor organization, employment agency or any joint labor-management committee controlling apprentice training programs:

(a) To deny to or withhold from any person because of her or his sexual or affectional preference or sexual orientation, the right to be admitted to or participate in a guidance program, an apprenticeship training program, on-the-job training program, executive training program, or other occupational training or retraining program;

(b) To discriminate against any person in her or his pursuit of such programs or to discriminate against such a person in the terms, conditions or privileges of such programs because of her or his sexual or affectional preference or sexual orientation;

(c) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for such programs or to make any inquiry in connection with such program which expresses, directly or indirectly, any limitation, specification or discrimination as to sexual or affectional preference or sexual orientation, or any intention to make any such limitation, specification or discrimination.

Unlawful discriminatory practices, public accommodation

3. It shall be an unlawful discriminatory practice for any person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement, because of the sexual or affectional preference or sexual orientation of any person, directly or indirectly, to refuse, withhold from or deny to such person any of the accommodations, advantages, facilities or privileges thereof, including the extension of credit, or, directly or indirectly, to publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement, to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of her or his sexual or affectional preference or sexual orientation or that the patronage or custom thereof of any person by virtue of her or his sexual or affectional preference or sexual orientation is unwelcome, objectionable or not acceptable, desired or solicited.

4. It shall be an unlawful discriminatory practice for an education corporation or association which holds itself out to the public to be nonsectarian and exempt from taxation pursuant to the provisions of article

four of the real property tax law to deny the use of its facilities to any person otherwise qualified, by reason of her or his sexual or affectional preference or sexual orientation.

Unlawful discriminatory practices, housing accommodation and commercial space

5. It shall be an unlawful discriminatory practice for the owner, lessee, sublessee, assignee, or managing agent of publicly-assisted housing accommodations or other person having the right of ownership or possession of or the right to rent or lease such accommodations, to the extent not inconsistent with federal or state law:

(a) To refuse to rent or lease or otherwise to deny to or withhold from any person or group of persons such housing accommodations because of the sexual or affectional preference or sexual orientation of such person or persons.

(b) To discriminate against any person because of her or his sexual or affectional preference or sexual orientation in the terms, conditions or privileges of any publicly-assisted housing accommodations or in the furnishing of facilities or services in connection therewith.

(c) To cause to be made any written or oral inquiry or record concerning the sexual or affectional preference or sexual orientation of a person seeking to rent or lease any publicly-assisted housing accommodation.

6. It shall be an unlawful discriminatory practice for any real estate broker, real estate salesman or employee or agent thereof or any other individual, corporation, partnership or organization for the purpose of inducing a real estate transaction from which any such person or any of its stockholders or members may benefit financially, to represent that a change has occurred or will or may occur in the composition with respect to the sexual or affectional preference or sexual orientation of the owners or occupants in the block, neighborhood or area in which the real property is located, and to represent, directly or indirectly, that this change will or may result in undesirable consequences in the block, neighborhood or area in which the real property is located, including but not limited to the lowering of property values, an increase in criminal or anti-social behavior, or a decline in the quality of schools or other facilities.

7. It shall be an unlawful discriminatory practice for the owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease a housing accommodation, constructed or to be constructed, or any agent or employee thereof:

(a) To refuse to sell, rent, lease or otherwise to deny to or withhold from any person or group of persons such a housing accommodation because of the sexual or affectional preference or sexual orientation of such person or persons.

(b) To discriminate against any person because of her or his sexual or affectional preference or sexual orientation in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or in the furnishing of facilities or services in connection therewith.

(c) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such housing accommodation or to make any record or inquiry in connection with the prospective purchase, rental or lease of such a housing accommodation which expresses, directly or indirectly, any limitation, specification or discrimination as to sexual or affectional preference or sexual orientation or any intent to make any such limitation, specification or discrimination.

The provisions of this section seven of this law shall not apply (1) to the rental of a housing accommodation in a building which contains housing accommodations for not more than two families living

independently of each other, if the owner or members of his family reside in one of such housing accommodations, or (2) to the rental of a room or rooms in a housing accommodation, if such rental is by the occupant of the housing accommodation or by the owner of the housing accommodation and she or he or members of her or his family reside in such housing accommodation.

8. It shall be an unlawful discriminatory practice for the owner, lessee, sublessee, or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent or lease, land or commercial space:

(a) To refuse to sell, rent, lease or otherwise deny to or withhold from any person or group of persons such commercial space because of the sexual or affectional preference or sexual orientation of such person or persons.

(b) To discriminate against any person because of her or his sexual or affectional preference or sexual orientation in the terms, conditions or privileges of the sale, rental or lease of any such land or commercial space; or in the furnishing of facilities or services in connection therewith.

(c) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such land or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of such land or commercial space which expresses, directly or indirectly, any limitation, specification or discrimination as to sexual or affectional preference or sexual orientation; or any intent to make any such limitation, specification or discrimination.

9. It shall be an unlawful discriminatory practice for any real estate broker, real estate salesman or employee or agent thereof:

(a) To refuse to sell, rent or lease any housing accommodation, land or commercial space to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing accommodation, land or commercial space to any person or group of persons because of the sexual or affectional preference or sexual orientation of such person or persons, or to represent that any housing accommodation, land or commercial space is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or any facilities of any housing accommodation, land or commercial space from any persons or group of persons because of the sexual or affectional preference or sexual orientation of such person or persons.

(b) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space which expresses, directly or indirectly, any limitation, specification, or discrimination as to sexual or affectional preference or sexual orientation; or any intent to make any such limitation, specification or discrimination.

Unlawful discriminatory practices, general

10. The provisions of this law shall apply throughout the geographic limits of the County of Onondaga as defined in the County Charter.

11. It shall be an unlawful discriminatory practice for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this law, or to attempt to do so.

12. It shall be an unlawful discriminatory practice for any person engaged in any activity to which this law applies to retaliate or discriminate against any person because she or he has opposed any practices forbidden under this law or because she or he has filed a complaint, testified or assisted in any proceeding under this law.

13. Nothing contained in this law shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, from limiting employment or sales or rental of housing accommodations or admission to or giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained.

ARTICLE V Construction

The provisions of this law shall be liberally construed for the accomplishment of the purposes thereof.

ARTICLE VI Statute of Limitations

Any action brought for violation of this law must be commenced within one year after the alleged unlawful discriminatory practice.

ARTICLE VII Enforcement

Any person who is aggrieved by an unlawful discriminatory practice set forth in this law shall have a cause of action in any court of appropriate jurisdiction for damages and such other remedies as may be appropriate, together with reasonable attorneys' fees to be fixed by the court.

If the court should find a violation of this law, it may take such action as may be appropriate, including but not limited to: requiring such party to cease and desist from such unlawful discriminatory practice; requiring such party to take such affirmative action, including (but not limited to) hiring, reinstatement or upgrading of employees, with or without back pay; restoration to membership in any labor organization, admission to or participation in a guidance program, apprenticeship training program, on-the-job training program or other occupational training or retraining program; the extension of full, equal and unsegregated accommodations, advantages, facilities and privileges to all persons; granting the credit which was the subject of any complaint; and the awarding of compensatory damages to the person aggrieved by the unlawful discriminatory practice.

ARTICLE VIII Severability

If any part or provision of this law, or the application thereof to any individual or circumstance, is held invalid, the remainder of the law shall not be affected thereby and shall continue in full force and effect.

ARTICLE IX

Effective Date

This law shall become effective immediately upon filing with the Secretary of State.

(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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, 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. 2 of 19 98 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Onondaga was duly passed by the County Legislature on August 3 19 98, and was (approved)(~~not disapproved~~)(~~repassed after~~ ~~disapproval~~) by the County Executive and was deemed duly adopted on August 21 1998,
(Name of Legislative Body) (Elective Chief Executive Officer*)
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____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was
(Name of Legislative Body) (Elective Chief Executive Officer*)
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 _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to
(Name of Legislative Body) (Elective Chief Executive Officer*)
permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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 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 the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

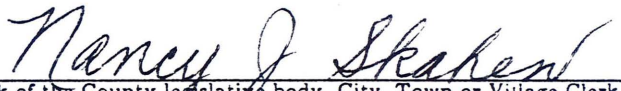
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 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 2, above.



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

(Seal)

Date: August 26, 1998

(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 ONONDAGA

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.



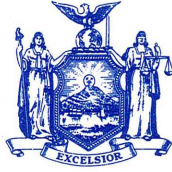
Signature

County Attorney
Title

County
~~City~~ of Onondaga
~~Town~~
~~Village~~

Date: August 26, 1998

(3)



STATE OF NEW YORK
DEPARTMENT OF STATE
ALBANY, NY 12231-0001

ALEXANDER F. TREADWELL
SECRETARY OF STATE

RECEIVED
ONONDAGA COUNTY
LEGISLATURE

98 SEP 29 AM 10:57

September 11, 1998

CYNTHIA J. MIANO
COUNTY OF ONONDAGA
407 COURT HOUSE
SYRACUSE, NY 13202

RE: County of Onondaga, Local Law 2, 1998, filed 09/03/98

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

Janice G. Durfee

Janice G. Durfee
Principal File Clerk
Bureau of State Records
(518) 474-2755

JGD:ml