

NIAGARA FALLS LOCAL LAW NO. 1 FOR THE YEAR 2021

A local law to amend the Niagara Falls City Charter, as amended, by amending Article V of the Niagara Falls City Charter, entitled "Budget, Capital Projects and Taxation", by amending the first paragraph of Section 5.3 and by amending Section 5.6(b) as follows:

BE IT ENACTED by the City Council of the City of Niagara Falls, as follows:

Section 1. Authority

This local law is enacted pursuant to the authority of Section 10 of the Municipal Home Rule Law authorizing City's to adopt a local law which may amend or supersede any provision of State law in relation to the property, affairs or government of the City unless there is a State legislative restriction on such amendment or supersession.

Section 2. Amendment

The Niagara Falls City Charter is hereby amended by amending Section 5.3 and Section 5.6(B) of Article V, entitled "Budget, Capital Projects and Taxation", to read as follows:

SECTION 5.3 EXECUTIVE BUDGET PRESENTATION

The Mayor shall annually propose an executive budget to the Council on or before the first working day of **November** [~~October~~]. Said proposal shall include a budget and a capital improvements program along with all necessary supporting schedules, exhibits, summaries and a budget message. Said message shall describe the main features of the budget proposed for operating and capital expenditures and for the several funds; shall estimate income from all sources and shall explain significant changes from current expenditures and revenue. The budget message shall further include the Mayor's recommendations for financing the budget and a statement of services to be provided and development objectives to be attained through the proposed expenditures.

SECTION 5.6 COUNCIL ACTION

B. Said hearing shall be held at least one week subsequent to the date of publication of such notice, but in no event later than the 1st day of **December** [~~November~~]. At said hearing the Mayor, the Administrator, the Director of Finance and such office department heads and personnel as the Mayor may deem necessary and proper shall be present, and any person may be heard for or against the executive budget as presented by the Mayor. The Council shall have and exercise the power, in connection with the executive budget hearings, to require the testimony of any officer and employee of the executive branch and the production of all such records as said Council may consider relevant in reaching independent conclusions and decisions on the proposed executive budget.

Section 3. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the City Council of the City of Niagara Falls hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repealer

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with the Municipal Home Rule Law.