

LOCAL LAW NUMBER 1 OF 2008

A LOCAL LAW REPEALING LOCAL LAW #2 OF 2007 AND LOCAL LAW #3 OF 2007

SECTION 1: TITLE and APPLICABILITY – The Town of Enfield hereby adopts this Local Law, to be known as “Local Law Number 1 of 2008”. This Local Law shall apply only within the Town of Enfield, and hereby repeals any prior Town Board declaration, determination or resolution inconsistent herewith.

SECTION 2: PURPOSE – The purpose of Local Law Number 1 of 2008 is to repeal the following Local Laws of the Town of Enfield: (1) Local Law #2 of 2007, “a local law to establish standards of conduct for municipal officers and employees of the Town of Enfield – Code of Ethics”, as allegedly adopted by the Town Board of the Town of Enfield upon December 12, 2007 (Resolution 2007-37) and filed with the New York State Attorney General’s Office on or about December 20, 2007; and (2) Local Law #3 of 2007, “Utility Scale Wind Energy Conversion Systems Law of the Town of Enfield, Ithaca, New York”, as allegedly passed by the Town Board of the Town of Enfield upon December 27, 2007 (Resolution 2007-42) and filed with the New York State Attorney General’s Office on or about December 28, 2007.

SECTION 3: REPEAL OF PRIOR LOCAL LAWS – The following Local Laws of the Town of Enfield be and hereby are repealed in their entirety: (1) Local Law #2 of 2007, “a local law to establish standard of conduct for municipal officers and employees of the Town of Enfield – Code of Ethics”, as allegedly adopted by the Town Board of the Town of Enfield upon December 12, 2007 (Resolution 2007-37) and filed with the New York State Attorney General’s Office on or about December 20, 2007; and (2) Local Law #3 of 2007, “Utility Scale Wind Energy Conversion Systems Law of the Town of Enfield, Ithaca, New York”, as allegedly passed by the Town Board of the Town of Enfield upon December 27, 2007 (Resolution 2007-42) and filed with the New York State Attorney General’s Office on or about December 28, 2007. Accordingly, such Local Laws shall be and remain unenforceable, and shall have no force or effect in law, equity or admiralty.

SECTION 4: CONSTRUCTION AND SAVINGS CLAUSE – The interpretation and enforcement of this Local Law shall be based upon the purposes sought by, through, and under this Local Law, and not by any date or factual or numerical reference that is technically incorrect and which does not materially affect the import of this Local Law. Thus, in the event of any ambiguity, it is the stated legislative intent of the Town Board of the Town of Enfield that the Local Laws passed in December 2007 and commonly known as the Wind Tower Law (or USWECS Law) and the Ethics Law (or Code of Ethics) be and be deemed repealed and of no force and effect, without regard to whether any date of any meeting or any numerical designation relative to such law is incorrect. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this Local Law shall be adjudged invalid or unenforceable by any court of other tribunal of competent jurisdiction, such order or judgment shall not affect or invalidate

the remainder of any article, section, paragraph, subdivision or clause of this Local Law. Any such invalidity shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such order or judgment shall have been rendered.

SECTION 5: EFFECTIVE DATE – This Local Law shall be immediately effective.

RESOLVED, that the Ethics Advisory Board, and/or any similarly named or functioning committee or entity formed under, pursuant to, in furtherance of, or in relation to the Ethics Local Law, be and is hereby disbanded; and it is further

RESOLVED, that in accord with #21 of the Municipal Home Rule Law, the final adopted copy of this Local Law shall be presented to the Supervisor for approval; and it is further

RESOLVED, that upon such approval by the Supervisor (or other approval occurring pursuant to said #21 of the Municipal Home Rule Law), and within 20 days after the final adoption of this Local Law, the Town Clerk shall file a certified copy of this Local Law, together with the required Certifications, in the Office of the Town Clerk and with the New York State Secretary of State as required by Municipal Home Rule Law #27. Said filing may be made by delivery to the State Records and Law Bureau, Department of State, 41 State Street, Albany, New York 12231.

SEQRA: Type II Action