

Task Duration

3 to 9 months will be needed to research existing laws, select provisions from Models to adopt or amend, and draft proposed revisions

7-10 days between introduction and adoption

5 days for public hearing notice (this runs concurrent with 7 days above)

If no changes are made to the draft law presented at the public hearing, then up to 3 weeks will pass from the day of public hearing to next municipal board meeting for adoption. If there are changes to be made, the process returns to Step 3 and can add several months to the process

Within 20 days of adoption, law is filed with NYS Department of State

ENTIRE PROCESS:

5-18 MONTHS

How to Adopt a Local Law

Step 1 The local governing body recognizes the need for stormwater management and runoff impact mitigation.

Step 2 The process for drafting a new, or revising an existing local law, is initiated. This process of drafting or revising an existing model can be conducted by the planning board, a special committee, or the municipal board itself. The municipal attorney should be a part of this process to anticipate and prevent problems in steps 5 and 6.

Step 3 The law is presented to the municipal governing body and introduced by one of its members. There must be a 7-day lapse (10 days if mailed) between the introduction of the proposed law and the adoption (between Step 3 and Step 6). Municipal attorneys should keep in mind that Sundays are not counted in the 7-day time frame. It should be useful to note that the 7-day (or 10 day) introduction period can run concurrently with the hearing notice time period.

Step 4 A notice of hearing is published which informs the public governed by this proposed law, that such a matter is before the municipal body and their comments will be heard on the issue. For cities, the published notice of hearing informs the public that such a matter is before the chief elected official.

Step 5 The public hearing is held and the issues heard. If no changes are made to the proposed law, the municipal body moves to adoption (Step 6). The municipal attorney should review the proposed law as written, and any input from the local residents at the public hearing. If changes are substantive, the process returns to step 3 with the revised proposed law, and follows the same time frame as the original draft.

Step 6 As soon as is practicable after the hearing is concluded, the proposed law can be voted on and adopted or approved by the municipal board. Cities should review their charter, but in some instances, the legislative body has 30 days to override the chief elected official's veto.

Step 7 The local law must be filed with the Department of State within 20 days after adoption.

NEW LAW IN PLACE!

NOTE: THE SEQR PROCESS SHOULD BE OCCURRING CONCURRENTLY WITH STEPS 2-4