

RESOLUTION NO. 47-75**TITLE:**

ADOPTION OF LOCAL LAW INTRO. NO. 1-75, PRINT NO. 1, IN
RELATION TO THE ESTABLISHMENT OF A DEPARTMENT OF
HEALTH IN THE ALLEGANY COUNTY GOVERNMENT

Offered by: Health Services Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 1-75, Print No. 1, is hereby adopted without any change in language, to wit:

A LOCAL LAW IN RELATION TO THE ESTABLISHMENT OF A DEPARTMENT
OF HEALTH IN THE ALLEGANY COUNTY GOVERNMENT

BE IT ENACTED by the Board of Legislators of the county
of Allegany as follows:

Section 1. Department established. There is hereby established a department of health in the county government of the county of Allegany.

§ 2. Department jurisdiction. The department of health shall have jurisdiction over the public health of the Allegany county health district which encompasses the entire area of the county of Allegany.

§ 3. Department head; appointment; qualifications; term; salary. The chief executive officer of the department of health shall be a public health administrator who shall be appointed by the board of health for a term of six years, which term shall begin to run from January 1, 1975. At the time of his appointment and throughout his term of office, the administrator shall possess those qualifications as may be required by law or the state sanitary code. He shall be directly responsible to the board of health. He shall receive such salary as the county board of legislators may fix.

§ 4. Public health administrator; powers and duties; report. The public health administrator shall have all the powers and perform all the duties now or hereafter conferred or imposed by law upon him, a public health administrator or, subject to the provisions of the state sanitary code, a commissioner of health, together with such other and related duties required by the board of health. He shall submit annually a written report, either separately or jointly with the board of health, to the county board of legislators detailing his activities in the preceding year and to contain such other matter as the county board of legislators may request.

§ 5. Board of health; membership; appointment; term; report. There shall be within the department of health a board of health whose members shall be appointed by the county board of legislators in the manner and for the term provided in the Public Health Law. The Board shall annually organize and reorganize itself in such manner as it may deem appropriate subject to the provisions of law. It shall meet regularly at the call of the President. It shall submit annually a written report, either separately or jointly with the public health administrator, to the county board of legislators detailing its activities in the preceding year and to contain such other matter as the county board of legislators may request.

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§ 6. Board of health; powers and duties; delegation. The board of health shall have all the powers and perform all the duties of a board of health as provided by law, but may delegate to the public health administrator the power to enforce those powers exercised and the authority to execute those duties to be performed.

§ 7. Deputy public health administrators and staff; appointment; revocation; consultants. The public health administrator may appoint, with the approval of the board of health, such deputy public health administrators, assistants and employees of his department as shall be authorized by the county board of legislators. Each such appointee shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of the administrator. The administrator may hire with the approval of the board of health, such medical and technical consultants as may be needed to assist him in the performance of the powers and duties of his office and fix their compensation within the limit of the amount appropriated by the county board of legislators therefor.

§ 8. Records filing location. A copy of every rule, regulation, order and direction adopted by the board of health shall be signed by the public health administrator and filed as a public record in the department of health office. The location of the department of health office shall be determined by resolution of the county board of legislators pursuant to section two hundred sixteen of the County Law.

§ 9. Previous actions of board of health and administrator ratified, confirmed and continued. All proper orders, resolutions, acts, actions or proceedings instituted, taken, passed, adopted or performed, in the manner provided by law, by the board of health or the public health administrator prior to the effective date of this local law are hereby ratified and confirmed; and shall continue to be valid orders, resolutions, acts, actions or proceedings until they expire or are revoked, modified or repealed in the manner provided by law.

§ 10. Board of health appointments validated. All appointments of membership on the board of health pursuant to the county board of legislators' resolution one hundred twenty-four of year nineteen hundred seventy-four are hereby validated; and the term of each such member as established by said resolution shall continue until his respective term expires.

§ 11. Separability clause. If any section, subsection, paragraph, sentence, clause or phrase of this local law shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this local law, which shall remain in full force and effect, and to this end the provisions of this local law are hereby declared to be severable.

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§ 12. Effective date. This local law shall take effect immediately.

Local Law No. 2 of 1975

Adopted by Res. No. 47-75 on 02/24/1975
Effective: February 27, 1975



STATE OF NEW YORK }
COUNTY OF ALLEGANY } ss. Brenda Rigby Riehle

I, FRANCES S. BARNES, Clerk of the Board of Legislators of Allegany County, do hereby certify that the above is a true and correct copy of a Resolution adopted by said Board on the 24th day of February, 1975, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Board at Belmont, N. Y., this 17th day of January, 2018

Brenda Rigby Riehle

Clerk, Board of Legislators, Allegany County

Moved by Mr. Ryan Seconded by Mr. Kramer

VOTE: Acclamation _____ ROLL: Ayes 14 Noes 0 Absent 1

VOTING NO: _____ ABSENT: Shaner

APPROVED BY: County Attorney [Signature] Committee(s) OK