

Local Law Amending The City Charter
With Respect To A Vacancy In The
Office Of Mayor

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by amending Section 3-2.1, Vacancy in the office of Mayor, to read in its entirety as follows:

§ 3-2.1. Vacancy in the office of Mayor.

If there is a vacancy in the office of Mayor arising otherwise than by expiration of term, the Deputy Mayor shall be the Mayor until a successor is elected as set forth herein. If there is no Deputy Mayor at the time of the vacancy, the Council shall appoint by a majority vote a person who is registered in the same political party as the elected Mayor who vacated the office, to be the Mayor until a successor is elected as set forth herein. If such vacancy occurs on or after the date of the general election and not less than 30 days before the last day for filing designating petitions in the subsequent regular election cycle, a successor shall be elected at the next general election occurring after such vacancy, following the procedures set in the Election Law. If such vacancy occurs at any other time, within 20 days of such vacancy Council shall establish the date of a special election at which a successor shall be elected, which election shall be held not less than 70 nor more than 80 days from such date; provided, however, that the special election shall be held at the general election if either the minimum or maximum time to establish and hold such election would expire on the date of the general election or within 45 days before such general election and provided further that the special election shall be held at least 35 days and not more than 42 days after the general election if the maximum time to establish and hold such election would otherwise expire within 42 days after the general election. The person elected as Mayor shall take office upon certification of the election and shall hold office for the remainder of the unexpired term. Notwithstanding the above, if such vacancy occurs on or after the date of the general election in the third year of a term, the Deputy Mayor or appointee shall hold office for the remainder of the unexpired term.

Section 2. This local law shall be submitted for the approval of the electors at the general election to be held on November 8, 2011 and shall take effect immediately upon certification of its approval by the affirmative vote of a majority of the qualified electors voting on said proposition.

11 AUG 18 PM 4:38
RECEIVED
CITY COUNCIL OFFICE