

NIAGARA FALLS LOCAL LAW NO. 5 FOR THE YEAR 2021

(PROPOSED)

A local law to amend the Niagara Falls City Charter, as amended, by amending Article XVII, entitled "Department of Planning and Economic Development", by amending the title of Article XVII and by amending Sections 17.1, 17.2, 17.3 and 17.3 (A) 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 the title of Article XVII and by amending Sections 17.1, 17.2, 17.3 and 17.3 (A), to read as follows:

DEPARTMENT OF PLANNING [AND ECONOMIC DEVELOPMENT]

Section 17.1

DEPARTMENT OF PLANNING [AND ECONOMIC DEVELOPMENT]. There is hereby created a "Department of Planning [and Economic Development]", which shall consist of the Planning Board, appointed as hereinafter provided, and a Director of Planning [and Economic Development].

Section 17.2

DIRECTOR OF PLANNING [AND ECONOMIC DEVELOPMENT]. The City Administrator shall appoint the Director of Planning [and Economic Development]. The Director of Planning [and Economic Development] shall be the administrative head of the Department of Planning [and Economic Development], and the Director of the technical staff of the department under the direction of the City Administrator.

Section 17.3

[ECONOMIC DEVELOPMENT. The Department of Planning and Economic development under the direction of the Director of Planning and Economic Development shall also furnish and perform all services and activities pertaining to economic development within the City of Niagara Falls, including any urban renewal project areas if so requested or agreed to by the Niagara Falls Urban Renewal Agency. Such economic development

activities and services may be either industrial or commercial and shall include, but not be limited to, establishing developer contacts; negotiations with developers; structuring development proposals; coordination of financing programs to implement development; preparation and structuring of economic development programs and applications for submission to federal, state or local agencies; implementation of funding programs with banking and lending institutions; coordination with other organizations or agencies as may be required; and such other functions necessary to stimulate and encourage economic development; and any related activity as may be directed by the City Administrator.]

[Section 17.3]

A. PLANNING BOARD, APPOINTMENT OF. There shall be appointed by the City Council nine (9) members of a Planning Board, who shall serve without compensation. Of the members of the Planning Board appointed under the provisions hereof, the appointment of as nearly as possible of one-third of the members of the Board shall be for a term of one year, one-third for a term of two years and one-third for a term of three years. At the expiration of such terms, the terms of office of their successors shall be three years, so that the term of office of one-third of such members of such Board, as nearly as possible, shall expire each year. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired term.

Said Board shall annually elect a chairman, and vice chairman. The Board shall hold meetings as provided in its rules or at the call of its chairman and shall keep full and complete minutes of the meetings and all hearings and proceedings of the Board. The Director of Planning [**and Economic Development**], or such staff member as such Director shall delegate, shall serve as the Secretary of the Planning Board.

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.