LOCAL LAW NO. 1 OF 2012
COUNTY OF OTSEGO, NEW YORK

A LOCAL LAW RESCINDING LOCAL LAW NO. 3 OF 2007, ENTITLED
ESTABLISHING “CHILD SAFETY ZONES” IN OTSEGO COUNTY, AND ITS
AMENDMENT, LOCAL LAW NO. 1 of 2008, ENTITLED
AMENDING LOCAL LAW NO. 3 of 2007 – ESTABLISHING
“CHILD SAFETY ZONES” IN OTSEGO COUNTY

BE IT ENACTED by the Otsego County Board of Representatives as follows:

Section 1. Narrative - Legislative Intent.

The County of Otsego enacted Local Law No. 3 of 2007, entitled Establishing
“Child Safety Zones” in Otsego County.

The County of Otsego also enacted Local Law No. 1 of 2008, entitled
Amending Local Law No. 3 of 2007 – Establishing “Child Safety Zones” in Otsego
County.

It is the purpose of this Local Law and its amendment to prohibit sex offenders
from residing, having employment or otherwise enter or remain within one thousand
(1,000) feet of areas and facilities that would provide them easy access to potential
victims.

The Otsego County Board of Representatives believes that it is inappropriate
to continue enforcing a local law that is unconstitutional. Seventeen counties in
New York have passed similar legislation, and in every county where the law has
been challenged, the court ruled that sex offender legislation is a State issue and a
county cannot usurp the State’s authority in that area by passing its own legislation.

The County of Otsego therefore determines for the reasons set forth above
that the aforesaid Local Law and its amendment, establishing “Child Safety
Zones” in Otsego County, should be rescinded.

Section 2. Rescinding of Local Law.

The Otsego County Board of Representatives does hereby rescind Local Law
No. 3 of 2007, entitled Establishing “Child Safety Zones” in Otsego County, and its
amendment, Local Law No. 1 of 2008, entitled Amending Local Law No. 3 of 2007 –
Establishing “Child Safety Zones” in Otsego County.

Section 3. Effective Date.

This local law shall become effective immediately upon filing with the Office
of the Secretary of State.

This local law is offered by the Public Safety and Legal Affairs Committee.
RESOLUTION NO. 182-20120502

RESOLUTION – ADOPTING A LOCAL LAW FOR THE YEAR 2012
(A LOCAL LAW RESCINDING LOCAL LAW NO. 3 OF 2007, ENTITLED
ESTABLISHING "CHILD SAFETY ZONES" IN OTSEGO COUNTY, AND ITS AMENDMENT,
LOCAL LAW NO. 1 OF 2008, ENTITLED AMENDING LOCAL LAW NO. 3 OF 2007 –
ESTABLISHING "CHILD SAFETY ZONES" IN OTSEGO COUNTY)

POWERS, MCCARTY, ROTHENBERGER, ROSENTHAL

WHEREAS, there was duly presented to the Board of Representatives of
the County of Otsego at a regular meeting duly held in the Meeting Room of
the Board of Representatives in the Otsego County Office Building,
Cooperstown, New York on March 7, 2012 a local law for the year 2012 entitled
"A Local Law Rescinding Local Law No. 3 of 2007, Entitled Establishing “Child
Safety Zones” In Otsego County, and Its amendment, Local Law No. 1 of 2008,
Entitled Amending Local Law No. 3 of 2007 – Establishing “Child Safety Zones” In
Otsego County"; and

WHEREAS, a public hearing was duly held on the proposed Local Law at
the Meeting Room for the Board of Representatives in the Otsego County Office
Building, Cooperstown, New York, on the 4th day of April, 2012 at 9:15 a.m. at
which time all interested persons were heard; now, therefore, be it

RESOLVED, that a local law of the County of Otsego for the year 2012, as
above set forth, be and the same is hereby adopted.
STATE OF NEW YORK:

COUNTY OF OTSEGO:

I, Carol D. McGovern, Clerk of the Board of Representatives of Otsego County, New York, DO HEREBY CERTIFY that I have compared the foregoing copy of resolution with the original resolution on file in my office and that the same is a true and complete copy thereof as duly adopted by said Board of Representatives while in session on the 2nd day of May, 2012.

WITNESS my hand and the official seal of the Board of Representatives of Otsego County, New York, this 2nd day of May, 2012.

(SEAL)

Carol D. McGovern
Clerk, Board of Representatives
Otsego County, New York