

TOWN OF WEST SENECA



Jeffrey A. Piekarec
Town Councilman

TOWN SUPERVISOR
Gary A. Dickson
TOWN COUNCILMAN
William Bauer
Joseph J. Cantafio
Jeffrey A. Piekarec
William P. Hanley

Dear Colleagues,

Please see attached examples on term limits, that currently exist within the Town of Amherst, Town of Tonawanda, and City of Lackawanna.

Sincerely,

Jeffrey Piekarec

Town Councilman

MUNICIPAL CODES OF NEW YORK A-J Prepared September 2010 / CODE OF THE TOWN OF AMHERST, NEW YORK, v103 Updated 09-01-2009 Chapter 203, Zoning, of the Code of the Town of Amherst can be viewed on the town's website at: www.amherst.ny.us (keyword: zoning) / PART I ADMINISTRATIVE LEGISLATION / Chapter 55, TERM LIMITS

Chapter 55, TERM LIMITS

[HISTORY: Adopted by the Town Board of the Town of Amherst 8-21-2006 by L.L. No. 10-2006. Amendments noted where applicable.]

GENERAL REFERENCES

Code of Ethics -- See Ch. 19.
Residency requirements -- See Ch. 45.
Supervisor -- See Ch. 54.

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§ 55-1. Title.

The title of this chapter shall be the "Term Limits Law."

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§ 55-2. Legislative intent.

It is the intent of the Town Board of the Town of Amherst to expand participation in the electoral process and to bring new ideas to governance of the Town of Amherst. To these ends, the Town Board of the Town of Amherst adopts this chapter to limit terms of office for elected officials in the Town of Amherst.

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§ 55-3. Term limits established.

No elective public officer of the Town of Amherst shall have more than two consecutive terms of four years each in the same public office. For purposes of this chapter, "same public office" shall mean any and all public offices that are the same as the office that the elective public officer last held. Any terms of office held prior to the November 6, 2007, general election shall not be counted for term limitation purposes.

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§ 55-4. Partial term of office.

Nothing contained herein shall prohibit an elective public officer in the Town of Amherst from holding either an elective or appointive partial term in the same elective public office, immediately prior to election to that elective public office for a full term. In that event, the partial term shall not be counted for purposes of the term limitation imposed by this chapter.

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Nothing contained in this chapter shall prohibit an elective public officer from seeking, being elected to, or holding another and different elective public office in the Town of Amherst at the conclusion of a term of public office as required by this chapter.

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§ 55-6. Exclusion.

Nothing contained in this chapter shall apply to the office of Town Justice of the Town of Amherst.

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§ 55-7. Authority.

This chapter is enacted pursuant to § 10(1)(ii)(a) of the Municipal Home Rule Law of the State of New York which authorizes towns to adopt local laws concerning the mode of selection and terms of office of elected officials.

ARTICLE I
Term Limits for Supervisor or Council Members
[Adopted 2-27-2006 by L.L. No. 2-2006]

§ 32-1. Purpose.

The purpose of this article is to limit the number of terms that the holders of the public offices of Supervisor or Councilman may serve under the authority of the Municipal Home Rule Law.

§ 32-2. Terms of Councilmen; limits.

- A. The number of terms that a Councilman may serve shall be limited to three terms of four years each, regardless of whether said terms are served consecutively or nonconsecutively. Any terms of office held prior to the November 6, 2007, general election shall not be counted for term limitation purposes.
- B. If a person fills a vacancy in the office of Councilman and more than two years remain in that term, such person shall be eligible to serve two additional four-year terms. If less than two years remain in that term, such person shall be eligible to serve three additional four-year terms.

§ 32-3. Terms of Town Supervisor; limits.

- A. The number of terms that a Supervisor may serve shall be limited to three terms of four years each, regardless of whether said terms are served consecutively or nonconsecutively. Any terms of office held prior to the November 6, 2007, general election shall not be counted for term limitation purposes.
- B. If a person fills a vacancy in the office of Town Supervisor and more than two years remain in that term, such person shall be eligible to serve two additional four-year terms. If less than two years remain in that term, such person shall be eligible to serve three additional four-year terms.

§ 32-4. Effective date.

This article shall take effect on January 1, 2007.

City of Lackawanna Term Limits

§ 3.1 **Composition and power generally.**

[Amended at general election 11-8-1994]

The legislative power of the City shall be exercised by a Council consisting of five Councilmen. One Councilman shall be elected from each ward of the City and a Council President shall be elected from the City at large. The Council President and the Councilman from the Fourth Ward shall be elected for a term of four years beginning January 1, 1980. The Councilmen from the First, Second and Third Wards shall be elected for a term of four years beginning January 1, 1982. Thereafter all Councilmen shall be elected for four-year terms. No Councilman shall serve for more than two consecutive four-year terms. No person shall be eligible for office of Councilman unless he or she is a resident of the Ward from which he or she is elected.

§ 4.1 Mayor; election, term and compensation.

[Amended 8-20-1984 by L.L. No. 3-1984; 4-18-1988 by L.L. No. 3-1988; at general election 11-8-1984]

The Mayor shall be elected by voters of the City at large to serve for a term of four years beginning January 1 next following his or her election, and shall not be eligible to serve more than two consecutive terms. He or she shall be a resident and registered voter of the City. The Mayor shall be elected at the general election in the year 1963 and every four years thereafter. The Mayor shall receive such compensation as fixed by ordinance adopted by the City at any time, provided, however, that the compensation of the Mayor shall not be diminished during his or her term of office.