

By County Administration and Finance Committees

Seconded by

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 11 OF 2008, ENTITLED: "A LOCAL LAW PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK, AND AUTHORIZING AN INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR THE RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT."

RESOLVED, that Local Law Intro. No. 11 of 2008, entitled: "A Local Law Providing For Enhanced Personal Privacy Protection For Documents Recorded In The Office Of The County Clerk, And Authorizing An Increase In Fees Collected By The County Clerk For the Recording, Entering, Indexing and Endorsing A Certificate On Any Instrument," be and the same hereby is adopted and approved in accordance with the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 11 Of 2008

"A LOCAL LAW PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK, AND AUTHORIZING AN INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR THE RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT."

BE IT ENACTED, by the County Legislature of the County of Broome as follows:

Section 1. Title.

This law shall be known as the "Enhanced Personal Privacy Protection for Recorded Documents Law."

Section 2. Declaration of Intent

In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the Broome County Legislature authorizes the County Clerk to increase fees charged for certain documents recorded with the County Clerk's Office.

Section 3. Fees for recording documents

For recording, entering, indexing and endorsing a certificate and any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the Broome County Clerk has placed an image of such cover page on line, the County Clerk shall make a good faith effort to redact such information.

Section 4. Severability

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect

Section 5 Section 125-14 of the Broome County Charter and Administrative Code be and the same is hereby repealed.

Section 6. Effective Date

This local law shall take effect thirty days after filing in the office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.