

Proposed Local Law No. 3 of 2022

Town of Rensselaerville Local Law Establishing Residency Requirements for Appointed Employees

Be it enacted by the Town Board of the Town of Rensselaerville as follows:

A. Title

This Local Law shall be entitled “Local Law Establishing Residency Requirements” would extend the residency requirements for the appointed offices of the Deputy Town Clerk as well as for all appointed officials within the Town of Rensselaerville.

Effective Date

This Local Law shall take effect upon filing with the Secretary of State as provided by law.

B. Authority

This Local Law is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(1), which grants to local governments the authority to enact local laws regarding the qualifications of local officers. Both Public Officers Law § 3, in its coverage of appointed Town offices, and Town Law § 23, may be superseded by local law. (see N.Y. Op. Atty. Gen. (Inf.) No. 96-11).

C. Supersession

This local law shall supersede New York Public Officers Law § 3(1) and Town Law § 23(1) and their application to the appointed employees of the Town of Rensselaerville.

D. Regulation

The persons appointed to any position of employment with the Town of Rensselaerville need not be a resident or elector of the Town of Rensselaerville, provided, however, that such persons shall reside in the county in which the Town is situated or an adjoining county within the State of New York.

E. Inconsistency

All other local laws and ordinances of the Town of Rensselaerville that are inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

F. Savings Clause

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any Court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation of the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.