

LOCAL LAW No. 4 OF 2018

TOWN OF RENSSELAERVILLE, NEW YORK

A local law to establish the residency requirements for the appointed offices of Code Enforcement Officer and Building Inspector.

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

Section 1. Title: A local law to establish the residency requirements for the appointed offices of Code Enforcement Officer and Building Inspector.

Section 2. 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 Both Public Officers Law §3, in its coverage of appointed town offices, and Town Law §23, may be superseded by local law.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. 97-11).

Section 3. Supersession: This local law shall supersede New York State Public Officers Law §3(1) and Town Law, §23(1) and their application to the offices of Code Enforcement Officer and Building Inspector for the Town of Rensselaerville.

Section 4. Residency requirements for the positions of the Code Enforcement Officer and Building Inspector for the Town of Rensselaerville: Section 96-3 of the Code of the Town of Rensselaerville is hereby amended to add the following as Section 96-3(F): The persons holding the offices of Code Enforcement Officer and Building Inspector need not be residents or electors 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.

Section 5. 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and ordinances of the Town of Rensselaerville that are inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such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.

Section 6. 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 judgement 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 judgement shall have been rendered.

Section 7. Effective Date: This local law shall take effect immediately.