LOCAL LAW NO. ____ OF 2022
Town of Caroline, County of Tompkins

A LOCAL LAW AMENDING AND RESTATING LOCAL LAW #1 OF 2020 AS LOCAL LAW #____ OF 2022 TO EXTEND GEOGRAPHIC AREA FOR ELIGIBILITY AS TOWN OF CAROLINE PUBLIC OFFICERS

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

Section 1. Legislative Intent and Purpose. It is the intent of this local law to amend the existing authority of the Caroline Town Board and allow for the appointment of town public officers from a broader geographic area than as originally set forth in Town of Caroline Local Law #1 of 2020. The Town of Caroline's experience with such local law, observations of what works well in other municipalities, and the limited pool of eligible and qualified candidates mandates this change, as history has shown that the best candidates, and sometimes the only eligible or qualified candidates, are from nearby areas and not necessarily residents of the Town of Caroline, or even of Tompkins County. Requiring residency for appointed public officers in Tompkins County or adjoining counties is consistent with Tompkins County's residency requirement.

Section 2. Authority. This local law is adopted pursuant to Municipal Home Rule Law §10, including subdivision [1][ii][a][1] as grants to local governments the authority to enact local laws regarding the qualifications of local officers, as well as from Town Law §§ 23 and 64, and Public Officers Law § 3.

Section 3. Amendments to Local Law #1 of 2020. Section II of such local law is simplified, and IV of such local law be and hereby is amended to expand residency requirements for certain public officers to all of Tompkins County, and any neighboring county within New York State, and the entirety of such local law is amended and restated, and thus duly superseded, to now read as follows:

LOCAL LAW TO ESTABLISH THE RESIDENCY REQUIREMENTS OF CERTAIN APPOINTED PUBLIC OFFICERS FOR THE TOWN OF CAROLINE

Local Law #____ of 2022, Town of Caroline, Tompkins County, New York

Be it enacted by the town board of the Town of Caroline in the County of Tompkins, as follows:

SECTION 1. TITLE: A local law to establish the residency requirements for the appointed offices of Deputy Town Clerks, Deputy Highway Superintendent, and Code Officer (Code Officer, as a term used herein, shall also mean the code enforcement officer and building inspector, including as such terms are used in the Executive Law and Town Law § 138).

SECTION II. AUTHORITY: This local law is adopted pursuant to Municipal Home Rule Law §10, including subdivision [1][ii][a][1] as grants to local governments the authority to enact local laws regarding the qualifications of local officers, as well as from Town Law §§ 23 and 64, and Public Officers Law § 3.

SECTION III. SUPERSESSION: This local law shall supersede Town Law, §23(1) in its application to the offices of Deputy Town Clerks, Deputy Highway Superintendent, and the Code Officer for the Town of Caroline.

SECTION IV. RESIDENCY REQUIREMENTS FOR THE POSITIONS OF DEPUTY CLERKS, DEPUTY HIGHWAY SUPERINTENDENT, AND CODE OFFICER FOR THE TOWN OF CAROLINE: The person holding the offices of Deputy Clerks, Deputy Highway Superintendent, or Code Officer in the Town of Caroline need not be a resident nor an elector of the Town of Caroline, provided, however, that such person shall reside within Tompkins County or within an adjoining county of the State of New York.

SECTION V. INCONSISTENCY: All other local laws and ordinances of the Town of Caroline that are inconsistent with the provisions of this local law are hereby superseded and repealed; provided however, that any such repeal shall only be to the extent of such inconsistency. 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 VI. 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, worked section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

SECTION VII. EFFECTIVE DATE: This local law shall take effect immediately upon adoption.