

TOWN OF CAROLINE

LOCAL LAW NO. ___ OF 2019

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

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 appointed Public Officers.

SECTION II. AUTHORITY: This local law is adopted pursuant to Municipal Home Rule Law §10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this local law recognizes that the State Legislature amended Public Officers Law, §3 adding a new subdivision (24) expanding the residency requirements for any appointed public office in the Town of Greenburgh, Westchester County, thereby rendering Public Officers Law a special law with respect to any appointed officer (Cf., N.Y. Op. Atty. Gen. (Inf.) No. 91-37).

SECTION III. SUPERSESION: This local law shall supersede Town Law, §23(1) in its application to appointed Public Officers for the Town of Caroline.

SECTION IV. RESIDENCY REQUIREMENTS FOR APPOINTED PUBLIC OFFICERS FOR THE TOWN OF CAROLINE: Appointed Public Officers 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 in an adjoining town of the State of New York (whether or not such town is located within Tompkins County).

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laws and ordinances of the Town of Caroline that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency, and in all other respects this local law shall be in addition to such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