

Town of Freedom

Local Law ____ of 20__

Deputy Town Clerk Residency

A local law to establish residency requirements for the appointed office of Deputy Town Clerk for the Town of Freedom.

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

Section I. Title: A Local Law to establish the residency requirements for the appointed office of the Deputy Town Clerk.

Section II. Authority: The 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 law regarding the qualifications of local officers. Furthermore, this local law recognizes that the State Legislature in Public Officers Law, § 3 (20) added a new subdivision expanding the residency requirements for the Deputy Town Clerk for the Town of Freedom thereby rendering Public Officers law a special law with respect to the office of Deputy Town Clerk.

Section III. Supersession: This local law shall supersede Town law, §23 (1) in its application to the position of Deputy Town Clerk for the Town of Freedom.

Section IV. Residency requirements for the position of the Deputy Clerk for the Town of Freedom. The person holding the office of Deputy Town Clerk in the Town of Freedom not be a resident of an elector of the Town of Freedom, provided, however, that such person shall reside in the county in which such town is located or an adjoining county within the State of New York.

Section V. Inconsistency: All other local laws and ordinances of the Town of Freedom that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be addition to such other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 upon filing in the office of the New York Secretary of State in accordance with Section 27 of the municipal Home Rule Law.