

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of SHAWANGUNK
Town
Village

Local Law No. 2 of the year 2010

A local law ESTABLISHING THE RESIDENCY REQUIREMENTS FOR THE OFFICE
(Insert Title)
OF THE DEPUTY HIGHWAY SUPERINTENDENT

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County
City of SHAWANGUNK as follows:
Town
Village

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

Section I. Title.

A local law to establish the residency requirements for the appointed office of Deputy Highway Superintendent.

Section II. Authority.

This local law is adopted pursuant to the New York State Constitution, including Article IX Section 2 and the Municipal Home Rule Law, § 10[1][ii][a][1] a provision that grants

(If additional space is needed, attach pages the same size as this sheet, and number each.)

to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this local law recognizes that in many instances the State Legislature has amended the Public Officers Law Section §3 and the Town Law Section 23 by adding new subdivisions expanding the residency requirements for various appointed public office holders in various jurisdictions throughout New York State, thereby rendering Section 3 of the Public Officers Law and Section 23 of the Town Law special laws with respect to any appointed town officer.

Section III. Supersession.

This local law shall supersede Town law, Section 23(1) last amended by Chapter 375 of the Laws of 2009 and Public Officers Law Section 3 (1) last amended by Chapter 375 of the Laws of 2009 in respect of the residency requirement for the office of Deputy Highway Superintendent for the Town of Shawangunk.

Section IV. Residency requirements for the position of the Deputy Highway Superintendent for the Town of Shawangunk.

The person holding the office of Deputy Highway Superintendent in the Town of Shawangunk need not be a resident nor an elector of the Town of Shawangunk, provided, however, that such person shall reside in the county in which such town is located or in an adjoining county to the county in which such Town is located within the State of New York.

Section V. Inconsistency.

All other local laws and ordinances of the Town of Shawangunk 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 judgment shall have been rendered.

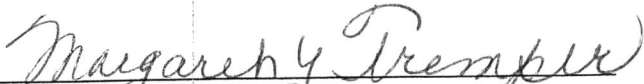
Section VII. Effective Date.

This local law shall take effect immediately upon publication and filing with the Secretary of State in accordance with the Municipal Home Rule Law of the State of New York.

BE IT ENACTED THIS 2nd DAY OF September, 2010 BY THE TOWN BOARD OF THE TOWN OF SHAWANGUNK, COUNTY OF ULSTER, STATE OF NEW YORK.

JOHN VALK, JR., SUPERVISOR
ADRIAN M. DEWITT, COUNCILMAN

ROBERT T. MILLER, COUNCILMAN
BRIAN AMTHOR, COUNCILMAN
MATTHEW WATKINS, COUNCILMAN


MARGARET Y. TREMPER, TOWN CLERK
TOWN OF SHAWANGUNK

ATTEST:

TOWN SEAL: