

Local Law No. 1 of 2021

Local Law to permit the Town Highway Superintendent to reside within a town contiguous to the Town of Greenwich, and located within Washington County, New York.

Section 1. Title:

Local Law No. 1 of 2021 is entitled “Local Law to permit the Town Highway Superintendent to reside within a town contiguous to the Town of Greenwich, and located within Washington County, New York.”

Section 2. Legislative Intent:

It is the intent of this Local Law to permit the Highway Superintendent to reside within the Town of Greenwich, or within a town contiguous to the Town of Greenwich, and located within Washington County, New York.

Section 3. Authority:

Pursuant to New York Law, a town is permitted to establish residency requirements for the highway superintendent which is as broad as the statutory amendments set forth in Public Officers Law §3 and Town Law §23. Public Officers Law §3 establishes that a town highway superintendent need not be an elector of such town. Town Law §23 establishes that a town highway superintendent may reside in the county in which such town is located, in an adjoining county within the State of New York, or outside of town but within the State of New York.

Section 4. Body of Local Law No. 1 of 2021:

Notwithstanding any other provisions of law to the contrary, on and after the effective date of this Local Law, Town Law §23 shall not prevent a person from holding the office of the Town of Greenwich Highway Superintendent provided that such person resides in a town contiguous to the Town of Greenwich and located within Washington County, New York.

In compliance with Town Law §22, this Local Law amends Public Officers Law §3 and Town Law §23.

Section 5. Severability:

If any provision of this Local law is determined to be unconstitutional or invalid, the validity and enforceability of the remainder shall not be affected.

Section 6. Effective Date:

This Local law shall take effect immediately upon filing with the Secretary of State.