S T A T E O F N E W Y O R K

2967--C

Cal. No. 247

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. BARCLAY -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the town law and the public officers law, in relation to waiving the residency requirement for the town building inspector and code enforcement officer in the town of New Haven, Oswego county

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 23 of the town law is amended by adding a new subdivision 24 to read as follows:

24. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, IN THE TOWN OF NEW HAVEN, OSWEGO COUNTY, THE PERSON PERFORMING THE FUNCTIONS OF THE TOWN BUILDING INSPECTOR AND CODE ENFORCEMENT OFFICER NEED NOT BE AN ELECTOR OF SUCH TOWN. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF TOWN BUILDING INSPECTOR IN ANY OTHER TOWN SHALL BE AN ELECTOR OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY AN ACT OF THE STATE LEGISLATURE.

S 2. Section 3 of the public officers law is amended by adding a new subdivision 57 to read as follows:

57. IN THE TOWN OF NEW HAVEN, IN THE COUNTY OF OSWEGO, THE PROVISIONS OF THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE SHALL BE CHOSEN OR WITHIN HIS OR HER OFFICIAL FUNCTIONS ARE REQUIRED TO BE EXERCISED, SHALL NOT PREVENT A PERSON FROM HOLDING THE OFFICE OF TOWN BUILDING INSPECTOR AND CODE ENFORCEMENT OFFICER PROVIDED THAT SUCH PERSON RESIDES IN THE COUNTY IN WHICH SUCH TOWN IS LOCATED OR AN ADJOINING COUNTY WITHIN THE STATE OF NEW YORK. PROVIDED, HOWEVER, THE PERSON

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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PERFORMING THE FUNCTIONS OF TOWN BUILDING INSPECTOR IN ANY OTHER TOWN SHALL BE AN ELECTOR OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY AN ACT OF THE STATE LEGISLATURE.

S 3. This act shall take effect immediately.