

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

3613--A

2009-2010 Regular Sessions

I N S E N A T E

March 25, 2009

Introduced by Sen. LIBOUS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the town law and the public officers law, in relation to the position of building inspector/code enforcement in the town of Windsor

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

- 1 Section 1. Section 23 of the town law is amended by adding a new
2 subdivision 23 to read as follows:
3 23. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION,
4 IN THE TOWN OF WINDSOR, IN THE COUNTY OF BROOME, THE PERSON PERFORMING
5 THE FUNCTIONS OF THE TOWN BUILDING INSPECTOR AND CODE ENFORCEMENT OFFI-
6 CER NEED NOT BE AN ELECTOR OF SUCH TOWN. PROVIDED, HOWEVER, THE PERSON
7 PERFORMING THE FUNCTIONS OF TOWN BUILDING INSPECTOR IN ANY OTHER TOWN
8 SHALL BE AN ELECTOR OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY AN ACT OF
9 THE STATE LEGISLATURE.
- 10 S 2. Section 3 of the public officers law is amended by adding a new
11 subdivision 56 to read as follows:
12 56. IN THE TOWN OF WINDSOR, IN THE COUNTY OF BROOME, THE PROVISIONS OF
13 THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL SUBDI-
14 VISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE SHALL
15 BE CHOSEN OR WITHIN HIS OR HER OFFICIAL FUNCTIONS ARE REQUIRED TO BE
16 EXERCISED, SHALL NOT PREVENT A PERSON FROM HOLDING THE OFFICE OF TOWN
17 BUILDING INSPECTOR AND CODE ENFORCEMENT OFFICER PROVIDED THAT SUCH
18 PERSON RESIDES IN THE COUNTY IN WHICH SUCH TOWN IS LOCATED OR AN ADJOIN-
19 ING COUNTY WITHIN THE STATE OF NEW YORK. PROVIDED, HOWEVER, THE PERSON
20 PERFORMING THE FUNCTIONS OF TOWN BUILDING INSPECTOR IN ANY OTHER TOWN
21 SHALL BE AN ELECTOR OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY AN ACT OF
22 THE STATE LEGISLATURE.
- 23 S 3. This act shall take effect immediately.

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

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