STATE OF NEW YORK

10743--A

IN ASSEMBLY

May 16, 2018

Introduced by M. of A. BYRNE -- read once and referred to the Committee on Local Governments -- 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 residency requirements for the persons performing the functions of building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer for Putnam Valley, Putnam County

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The town of Putnam Valley, Putnam County, has employed individuals that reside outside of the political subdivision or municipal corporation as building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer in violation of section 3 of the public officers law and section 23 of the town law. Notwithstanding this defect, the employment of such individuals as building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer of the town is hereby validated, legalized, ratified and confirmed, notwithstanding the absence of prior legislative approval.

§ 2. Section 23 of the town law is amended by adding a new subdivision 32 to read as follows:

32. Notwithstanding the provisions of subdivision one of this section, in the town of Putnam Valley, Putnam County, the persons performing the functions of the building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer need not be electors of such town. Provided, however, the persons performing the functions of the building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer in any other town shall be electors of such town, unless otherwise provided by an act of the state legislature.

§ 3. Section 3 of the public officers law is amended by adding a new subdivision 67 to read as follows:

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

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67. In the town of Putnam Valley, Putnam County, the provisions of this section requiring a person to be a resident of a political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer of the town of Putnam Valley, provided that such person resides in Putnam County or any adjoining county within the state of New York. Provided, however, the persons performing the functions of building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer in any other town shall be a resident of such town, unless otherwise provided by an act of the state legislature.

§ 4. This act shall take effect immediately.