

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:

1 Section 1. The town of Putnam Valley, Putnam County, has employed
2 individuals that reside outside of the political subdivision or municipi-
3 pal corporation as building inspector/code enforcement officer and
4 assistant/deputy building inspector/code enforcement officer in
5 violation of section 3 of the public officers law and section 23 of the
6 town law. Notwithstanding this defect, the employment of such individ-
7 uals as building inspector/code enforcement officer and assistant/deputy
8 building inspector/code enforcement officer of the town is hereby vali-
9 dated, legalized, ratified and confirmed, notwithstanding the absence of
10 prior legislative approval.

11 § 2. Section 23 of the town law is amended by adding a new subdivision
12 32 to read as follows:

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

22 § 3. Section 3 of the public officers law is amended by adding a new
23 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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1 67. In the town of Putnam Valley, Putnam County, the provisions of
2 this section requiring a person to be a resident of a political subdivi-
3 sion or municipal corporation of the state for which he or she shall be
4 chosen or within which his or her official functions are required to be
5 exercised, shall not prevent a person from holding the office of build-
6 ing inspector/code enforcement officer and assistant/deputy building
7 inspector/code enforcement officer of the town of Putnam Valley,
8 provided that such person resides in Putnam County or any adjoining
9 county within the state of New York. Provided, however, the persons
10 performing the functions of building inspector/code enforcement officer
11 and assistant/deputy building inspector/code enforcement officer in any
12 other town shall be a resident of such town, unless otherwise provided
13 by an act of the state legislature.

14 § 4. This act shall take effect immediately.