

# STATE OF NEW YORK

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5877--B

Cal. No. 759

2021-2022 Regular Sessions

## IN SENATE

March 19, 2021

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Introduced by Sen. GALLIVAN -- 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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the village law and the public officers law, in relation to authorizing the village of Perry, county of Wyoming to hire a planning board member, zoning board of appeals member and zoning officer who are not residents of such village

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

1 Section 1. Section 3-300 of the village law is amended by adding a new  
2 subdivision 31 to read as follows:

3 31. Notwithstanding any provisions of this chapter or any other chap-  
4 ter, general law, local law, ordinance, or special act, the village  
5 board of trustees of the incorporated village of Perry, Wyoming county,  
6 may, by resolution, provide that the office of planning board member,  
7 zoning board of appeals member and zoning officer of such village may be  
8 held by a person who is not a resident of such village, provided that  
9 such person resides within Wyoming county or an adjoining county within  
10 the state of New York.

11 § 2. Section 3 of the public officers law is amended by adding a new  
12 subdivision 71 to read as follows:

13 71. In the village of Perry, in the county of Wyoming, the provisions  
14 of this section requiring a person to be a resident of the political  
15 subdivision or municipal corporation of the state for which he or she  
16 shall be chosen or within which his or her official functions are  
17 required to be exercised, shall not prevent a person from holding the  
18 office of planning board member, zoning board of appeals member or

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

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1 zoning officer of the village of Perry, provided that such person  
2 resides within Wyoming county or an adjoining county within the state of  
3 New York. Provided, however, the person performing the functions of  
4 planning board member, zoning board of appeals member or zoning officer  
5 in any other village shall be a resident of such village, unless other-  
6 wise provided by an act of the state legislature.

7 § 3. This act shall take effect immediately.