

STATE OF NEW YORK

6654

2021-2022 Regular Sessions

IN SENATE

May 11, 2021

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the village law and the public officers law, in relation to permitting building inspectors, fire inspectors and code enforcement officers of the village of Buchanan, county of Westchester, to live within Westchester county, an adjoining county or Dutchess county

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

1 Section 1. The village of Buchanan, Westchester county, has employed
2 individuals that reside outside of the political subdivision or municipi-
3 pal corporation as building inspector, fire inspector, and code enforce-
4 ment officer in violation of section 3 of the public officers law and
5 section 3-300 of the village law. Notwithstanding this defect, the
6 employment of such individuals as building inspector, fire inspector,
7 and code enforcement officer is hereby validated, legalized, ratified
8 and confirmed, notwithstanding the absence of prior legislative
9 approval.

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

12 31. Notwithstanding any provisions of this chapter or any other gener-
13 al law, local law, ordinance or special act, the village board of trus-
14 tees of the incorporated village of Buchanan, Westchester county, may,
15 by resolution, provide that the office of building inspector, fire
16 inspector and code enforcement officer of such village may be held by a
17 person who is not a resident of such village, provided that such person
18 resides in the county of Westchester, the county of Dutchess, or in an
19 adjoining county within the state of New York.

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

22 71. In the village of Buchanan, in the county of Westchester, the
23 provisions of this section requiring a person to be a resident of the

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

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1 political subdivision or municipal corporation of the state for which he
2 or she shall be chosen or within which his or her official functions are
3 required to be exercised, shall not prevent a person from holding the
4 office of building inspector, fire inspector or code enforcement officer
5 of the village of Buchanan, provided that such person resides in West-
6 chester county, Dutchess county or an adjoining county within the state
7 of New York; provided, however that any person performing the functions
8 of building inspector, fire inspector or code enforcement officer in any
9 other village shall be a resident of such village unless otherwise
10 provided by an act of the state legislature.

11 § 4. This act shall take effect immediately.