STATE OF NEW YORK

7038--A

2021-2022 Regular Sessions

IN ASSEMBLY

April 21, 2021

Introduced by M. of A. GALEF -- 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 village law and the public officers law, in relation to authorizing building inspectors, fire inspectors and code enforcement officers of the village of Buchanan to live within Westchester County or an adjoining county

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

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

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

31. Notwithstanding any provisions of this chapter or any other general law, local law, ordinance, or special act, the village board of trustees of the incorporated village of Buchanan, Westchester county, may, by resolution, provide that the office of building inspector, fire inspector and code enforcement officers of such village, may be held by a person who is not a resident of such village, provided that such person resides within Westchester county or an adjoining county within the state of New York.

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

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

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71. In the village of Buchanan, in the county of Westchester, the provisions of this section requiring a person to be a resident of the 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, fire inspector and code enforcement officers of the village of Buchanan, provided that such person resides within Westchester county or an adjoining county within the state of New York. Provided, however that the person performing the functions of building inspector, fire inspector and code enforcement officers in any other village shall be a resident of such village unless otherwise provided by an act of the state legislature.

§ 4. This act shall take effect immediately.