STATE OF NEW YORK

5877--C

2021-2022 Regular Sessions

IN SENATE

March 19, 2021

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 -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- 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 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:

Section 1. Section 3-300 of the village law is amended by adding a new subdivision 32 to read as follows:

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

§ 2. Section 3 of the public officers law is amended by adding a new subdivision 72 to read as follows:

72. In the village of Perry, in the county of Wyoming, 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

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

LBD10540-06-2

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

§ 3. This act shall take effect immediately.