STATE OF NEW YORK

872

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

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

AN ACT to amend the town law and the public officers law, in relation to authorizing the building inspector in the town of Pendleton, county of Niagara, to reside outside such town

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

Section 1. Section 23 of the town law is amended by adding a new subdivision 36 to read as follows:

36. Notwithstanding subdivision one of this section, in the town of Pendleton, Niagara county, the person performing the function of building inspector need not be an elector of such town. Provided, however, the person performing the function of building inspector in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

§ 2. Section 3 of the public officers law is amended by adding a new subdivision 73 to read as follows:

73. In the town of Pendleton, Niagara county, 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 function is required to be exercised, shall not prevent a person from holding the office of building inspector of the town of Pendleton, Niagara county; provided that said person resides in the county in which such town is located or an adjoining county within the state of New York. Provided, however, the person performing the functions of building inspector in any other town shall be a resident of such town, unless otherwise provided by law.

§ 3. This act shall take effect immediately.

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

LBD03714-01-3