§ 23. Eligibility of town officers. 1. Every elective officer of the town at the time of his election and throughout his term of office, shall be an elector of the town. Every other officer of the town at the time of his appointment and throughout his term of office shall be an elector of the town except that: (a) in towns having no resident attorney, the town attorney and such counsel as may be employed need not be electors; and

(b) in towns having no resident engineer and in the towns of Mount Pleasant, Westchester county, North Castle, Westchester county, Lewisboro, Westchester county, Somers, Westchester county, Carmel, Putnam county, and Ithaca, Tompkins county, the town engineer and such consultant engineers as may be employed need not be electors; and

(c) in the towns of North Castle, Westchester county, North Salem, Lewisboro and Pound Ridge, Westchester county, the town building inspector and such deputy building inspectors as may be employed need not be electors; and

(d) in the town of Lewisboro, Westchester county, the town wetlands inspector need not be an elector; and

(e) in the towns of Carmel and Patterson, Putnam county, the town wetlands inspector need not be an elector; and

(f) in the town of Hamlin, Monroe county, the court clerk need not be an elector; and

(g) in towns participating in a shared town justice agreement pursuant to section one hundred six-b of the uniform justice court act, a town justice may be an elector of any town participating in such an agreement.

No county treasurer, district superintendent of schools, or trustee of a school district shall be eligible to the office of supervisor.

2. Notwithstanding the provisions of subdivision one of this section, in the town of New Castle, Westchester county, and in the town of Bolivar, Allegany county, the person performing the functions of town superintendent of highways need not be an elector of such town. Provided, further, that in the town of Pound Ridge, Westchester county, the person performing the functions of town superintendent of highways and such deputies as may be employed need not be electors of such town.

3. Notwithstanding the provisions of subdivision one of this section, in the town of Mount Pleasant, Westchester county, the persons performing the functions of comptroller and building inspector need not be electors of such town.

4. Notwithstanding the provisions of subdivision one of this section, in the town of Sweden, Monroe county, the person performing the functions of court clerk need not be an elector of such town.

5. Notwithstanding the provisions of subdivision one of this section, in the town of Ogden, Monroe county, the person performing the functions of court clerk need not be an elector of such town.

6. Notwithstanding the provisions of subdivision one of this section, in the town of North East, Dutchess county, the person performing the functions of the town engineer need not be an elector of such town.

7. Notwithstanding the provisions of subdivision one of this section, in the town of Independence, Allegany county, the person performing the functions of town justice need not be an elector of such town. Provided, however, the person performing the functions of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

8. Notwithstanding the provisions of subdivision one of this section, in the town of Grove, Allegany county, the person performing the functions of town justice need not be an elector of such town. Provided, however, the person performing the functions of town justice in any other town shall be an elector of such town unless otherwise provided by an act of the state legislature.

* 9. Notwithstanding the provisions of subdivision one of this section, in the town of Birdsall, Allegany county, the person performing the functions of town justice need not be an elector of such town. Provided, however, the person performing the functions of town justice in any other town shall be an elector of such town unless otherwise provided by an act of the state legislature.

* NB There are 2 sub 9's

* 9. Notwithstanding the provisions of subdivision one of this section, in the town of West Union, Steuben county, the person performing the functions of town justice need not be an elector of such town. Provided, however, the person performing the functions of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sub 9's

* 10. Notwithstanding the provisions of subdivision one of this section, in the town of Granger, Allegany county, the person performing the functions of town justice need not be an elector of such town. Provided, however, the person performing the functions of town justice in any other town shall be an elector of such town unless otherwise provided by an act of the state legislature.

* NB There are 3 sub 10's

* 10. Notwithstanding the provisions of subdivision one of this section, in the town of Somers, Westchester county, the person performing the functions of the town building inspector need not be an elector of such town. Provided, however, the person performing the functions of town building inspector in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sub 10's

* 10. Notwithstanding the provisions of subdivision one of this section, in the town of Pound Ridge, Westchester county, the person performing the functions of town superintendent of highways need not be an elector of such town. Provided, however, the person performing the functions of town superintendent of highways in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sub 10's

* 11. Notwithstanding the provisions of subdivision one of this section, in the town of Somers, Westchester county, the person performing the functions of the court clerk need not be an elector of such town. Provided, however, the person performing the functions of court clerk in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sub 11's

* 11. Notwithstanding the provisions of subdivision one of this section, in the town of Pound Ridge, Westchester county, the person performing the functions of town building inspector need not be an elector of such town. Provided, however, the person performing the functions of town building inspector in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sub 11's

12. Notwithstanding the provisions of subdivision one of this section, in the town of Pound Ridge, Westchester county, the person performing the functions of deputy building inspector need not be an elector of such town. Provided, however, the person performing the functions of deputy building inspector in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

13. Notwithstanding the provisions of subdivision one of this section, in the town of Ogden, Monroe county, the person performing the functions of town building inspection and code enforcement officer need not be an elector of such town. Provided, however, the person performing the functions of building inspection and code enforcement officer in any other town shall be an elector of such town, unless otherwise provided by law.

* 14. Notwithstanding the provisions of subdivision one of this section, in the town of Hamlin, Monroe county, the person performing the functions of town building inspector/code enforcement officer need not be an elector of such town. Provided, however, the person performing the functions of town building inspector/code enforcement officer in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sub 14's

* 14. Notwithstanding the provisions of subdivision one of this section, in the town of Clarkson, in the county of Monroe, the person performing the functions of building inspector need not be an elector of such town. Provided, however, the person performing the functions of building inspector in any other town shall be an elector of such town,

unless otherwise provided by law.

* NB There are 2 sub 14's

* 15. Notwithstanding the provisions of subdivision one of this section, in the town of Hamlin, Monroe county, the person performing the functions of town fire marshall need not be an elector of such town. Provided, however, the person performing the functions of town fire marshall in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sub 15's

* 15. Notwithstanding the provisions of subdivision one of the section, in the town of Clarkson, in the county of Monroe, the person performing the functions of code enforcement officer need not be an elector of such town. Provided, however, the person performing the functions of code enforcement officer in any other town shall be an elector of such town, unless otherwise provided by law.

* NB There are 2 sub 15's

16. Notwithstanding the provisions of subdivision one of this section, in the town of Andover, in the county of Allegany, the person performing the functions of town justice need not be an elector of such town. Provided, however, the person performing the functions of town justice in any other town shall be an elector of such town unless otherwise provided by law.

17. Notwithstanding the provisions of subdivision one of this section, in the town of Colesville, in the county of Broome, the person performing the functions of court clerk need not be an elector of such town. Provided, however, the person performing the functions of court clerk in any other town shall be an elector of such town unless otherwise provided by law.

* 18. Notwithstanding the provisions of subdivision one of this section, in the town of Copake, in the county of Columbia, the persons performing the functions of court clerk and deputy court clerk need not be electors of such town. Provided, however, the persons performing the functions of court clerk and deputy court clerk in any other town shall be an elector of such town unless otherwise provided by law.

* NB There are 4 sub 18's

* 18. Notwithstanding the provisions of subdivision one of this section, in the town of Barker, in the county of Broome, the person performing the functions of court clerk need not be an elector of such town. Provided, however, the person performing the functions of court clerk in any other town shall be an elector of such town unless otherwise provided by law.

* NB There are 4 sub 18's

* 18. Notwithstanding the provisions of subdivision one of this section, in the town of Maine, in the county of Broome, the person performing the functions of building inspector/code enforcement officer need not be an elector of such town. Provided, however, the person performing the functions of building inspector/code enforcement in any other town shall be an elector of such town unless otherwise provided by law.

* NB There are 4 sub 18's

* 18. Notwithstanding the provisions of subdivision one of this section, in the town of Nanticoke, in the county of Broome, the person performing the functions of court clerk need not be an elector of such town. Provided, however, the person performing the functions of court clerk in any other town shall be an elector of such town unless otherwise provided by law.

* NB There are 4 sub 18's

* 19. Notwithstanding the provisions of subdivision one of this section, in the town of Kirkwood, in the county of Broome, the person performing the functions of court clerk need not be an elector of such town. Provided, however, the person performing the functions of court clerk in any other town shall be an elector of such town unless otherwise provided by law.

* NB There are 2 sub 19's

* 19. Notwithstanding the provisions of subdivision one of this section, in the town of Big Flats, in the county of Chemung, persons performing the functions of assessor, town attorney and director of building inspection/code enforcement office need not be an elector of such town. Provided, however, persons performing such functions or holding such offices in any other town shall be electors of such town unless otherwise provided by law.

* NB There are 2 sub 19's

20. Notwithstanding the provisions of subdivision one of this section, in the town of Maine, in the county of Broome, the person performing the functions of court clerk need not be an elector of such town. Provided, however, the person performing the functions of court clerk in any other town shall be an elector of such town unless otherwise provided by law.

21. Notwithstanding the provisions of subdivision one of this section, in the town of Wellsville, in the county of Allegany, the persons performing the functions of town justice need not be electors of such town. Provided, however, the persons performing the functions of town justice in any other town shall be electors of such town unless otherwise provided by law.

22. Notwithstanding the provisions of subdivision one of this section, in the town of Gerry, in the county of Chautauqua, the person performing the functions of court clerk need not be an elector of such town. Provided, however, the person performing the functions of court clerk in any other town shall be an elector of such town, unless otherwise provided by law.

* 23. Notwithstanding the provisions of subdivision one of this section, in the town of Willing, in the county of Allegany, the persons performing the functions of town justice need not be electors of such town. Provided, however, the persons performing the functions of town justice in any other town shall be electors of such town unless otherwise provided by law.

* NB There are 3 sub 23's

* 23. Notwithstanding the provisions of subdivision one of this section, in the town of Windsor, in the county of Broome, the person holding the position of clerk to justice need not be an elector of such town. Provided, however, the person holding the position of clerk to justice in any other town shall be an elector of such town, unless otherwise provided by law.

* NB There are 3 sub 23's

* 23. Notwithstanding the provisions of subdivision one of this section, in the town of Windsor, in the county of Broome, the person performing the functions of the town building inspector and code

enforcement officer need not be an elector of such town. Provided, however, the person performing the functions of town building inspector in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sub 23's

* 24. Notwithstanding the provisions of subdivision one of this section, in the town of Benson, in the county of Hamilton, the persons performing the functions of town justice need not be electors of such town. Provided, however, the persons performing the functions of town justice in any other town shall be electors of such town unless otherwise provided by law.

* NB There are 2 sub 24's

* 24. Notwithstanding the provisions of subdivision one of this section, in the town of Genesee, in the county of Allegany, the persons performing the functions of town justice need not be electors of such town. Provided, however, the persons performing the functions of town justice in any other town shall be electors of such town unless otherwise provided by law.

* NB There are 2 sub 24's

* 25. Notwithstanding subdivision one of this section, in the town of Fishkill, Dutchess county, the person performing the function of comptroller need not be an elector of such town. Provided, however, the person performing the functions of comptroller in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sb 25's

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

* NB There are 2 sb 25's

* 26. Notwithstanding the provisions of subdivision one of this section, the town of Kirkwood, in the county of Broome, the person performing the functions of town code enforcement officer/building inspector need not be an elector of such town. Provided, however, the

persons performing the functions of town code enforcement officer/building inspector in any other town shall be electors of such town unless otherwise provided by law.

* NB There are 3 sb 26's

* 26. Notwithstanding the provisions of subdivision one of this section, in the town of Piercefield, in the county of St. Lawrence, the persons performing the functions of town justice need not be electors of such town. Provided, however, the persons performing the functions of town justice in any other town shall be electors of such town unless otherwise provided by law.

* NB There are 3 sb 26's

* 26. Notwithstanding the provisions of subdivision one of this section, in the town of Lyndon, in the county of Cattaraugus, the persons performing the functions of town justice need not be electors of such town. Provided, however, the persons performing the functions of town justice in any other town shall be electors of such town unless otherwise provided by law.

* NB There are 3 sb 26's

27. Notwithstanding the provisions of subdivision one of this section, the town of Kirkwood, in the county of Broome, the person performing the functions of code officer need not be an elector of such town. Provided, however, the persons performing the functions of code officer in any other town shall be electors of such town unless otherwise provided by law.

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

* NB There are 3 sb 28's

* 28. Notwithstanding the provisions of subdivision one of this section, in the town of Conklin, in the county of Broome, the person performing the functions of town building inspector and code enforcement officer need not be an elector of such town. Provided, however, the person performing the functions of building inspector and code

enforcement officer in any other town shall be an elector of such town, unless otherwise provided by law.

* NB There are 3 sb 28's

* 28. Notwithstanding subdivision one of this section, in the town of Wallkill, Orange county, the person performing the function of comptroller need not be an elector of such town. Provided, however, the person performing the functions of comptroller in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 28's

29. Notwithstanding the provisions of subdivision one of this section, in the town of Lewis, Lewis county, the person performing the function of town justice, need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* 30. Notwithstanding the provisions of subdivision one of this section, in the town of Allen, in the county of Allegany, the person performing the function of town justice, need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sb 30's

* 30. Notwithstanding the provisions of subdivision one of this section, in the town of LaGrange, in the county of Dutchess, the person performing the functions of the building inspector, comptroller and administrator of public works need not be an elector of such town. Provided, however, the person performing the functions of the building inspector, comptroller and administrator of public works in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sb 30's

* 31. Notwithstanding the provisions of subdivision one of this section, in the town of Wallkill, in the county of Orange, the persons performing the functions of town building inspector and code enforcement officer need not be electors of such town. Provided, however, the

persons performing the functions of building inspector and code enforcement officer in any other town shall be electors of such town, unless otherwise provided by law.

* NB There are 3 sb 31's

* 31. Notwithstanding subdivision one of this section, in the town of Boylston, Oswego county, the person performing the function of town justice need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 31's

* 31. Notwithstanding subdivision one of this section, in the town of Somers, 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 assistant court clerk of the town of Somers, provided that such person resides in the county in which such town is located or Putnam county. Provided, however, the person performing the functions of assistant court clerk in any other town shall be a resident of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 31's

* 32. Notwithstanding subdivision one of this section, in the town of Wilson, 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.

* NB There are 3 sb 32's

* 32. Notwithstanding subdivision one of this section, in the town of Sodus, Wayne County, the person performing the functions of court clerk need not be an elector of such town. Provided, however, the person performing the functions of court clerk in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 32's

* 32. Notwithstanding the provisions of subdivision one of this section, in the town of Putnam Valley, Putnam County, the persons performing the functions of the building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer need not be electors of such town. Provided, however, the persons performing the functions of the building inspector/code enforcement officer and assistant/deputy building inspector/code enforcement officer in any other town shall be electors of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 32's

* 33. Notwithstanding subdivision one of this section, in the town of Somers, 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 position of court attendant for the town of Somers, provided that such person resides in the county in which such town is located. Provided, however, the person performing the functions of court attendant in any other town shall be a resident of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sb 33's

* 33. Notwithstanding subdivision one of this section, in the town of Pavilion, Genesee county, the person performing the function of town superintendent of highways or town engineer need not be an elector of such town, provided that such person is an elector in an adjoining town or village within an adjoining town within the state. Provided, however, the person performing the function of town superintendent of highways or town engineer in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 2 sb 33's

34. Notwithstanding the provisions of subdivision one of this section, in the town of Angelica, in the county of Allegany, the person performing the function of town justice, need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless

otherwise provided by an act of the state legislature.

35. Notwithstanding the provisions of subdivision one of this section, in the town of Van Etten, in the county of Chemung, the person performing the function of town justice, need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

36. Notwithstanding the provisions of subdivision one of this section, in the town of Chester, Orange county, the person performing the function of comptroller or building inspector need not be an elector of such town, provided that such person resides in the county in which such town is located. Provided, however, the person performing the function of comptroller or building inspector in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* 37. 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.

* NB There are 3 sb 37's

* 37. Notwithstanding the provisions of subdivision one of this section, in the town of Harrison, in the county of Westchester, the person performing the function of assistant court clerk or fire marshal, need not be an elector of such town. Provided, however, the person performing the function of assistant court clerk or fire marshal in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 37's

* 37. Notwithstanding the provisions of subdivision one of this section, in the town of Montour, in the county of Schuyler, the person performing the function of town justice, need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless

otherwise provided by an act of the state legislature.

* NB There are 3 sb 37's

* 38. Notwithstanding the provisions of subdivision one of this section, in the town of Rushford, in the county of Allegany, the person performing the function of town justice, need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 38's

* 38. Notwithstanding the provisions of subdivision one of this section, in the town of West Almond, in the county of Allegany, the person performing the function of town justice, need not be an elector of such town; provided that such person resides in the county of Allegany. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 38's

* 38. Notwithstanding the provisions of subdivision one of this section, in the town of Dix, in the county of Schuyler, the person performing the function of town justice, need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

* NB There are 3 sb 38's