

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Howard
~~Town~~
~~Village~~

Local Law No. 2 of the year ~~XX~~ 2001

A local law entitled "Town Superintendent of Highway Residency Law".
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Howard as follows:
~~Town~~
~~Village~~

*SEE COPY OF LOCAL LAW ANNEXED HERETO

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**TOWN OF HOWARD
TOWN SUPERINTENDENT OF HIGHWAYS RESIDENCY LAW**

ARTICLE 1. TITLE

1.0 TITLE

This Local Law shall be known as the "Town Superintendent of Highway Residency Law" for the Town of Howard.

ARTICLE 2. AUTHORITY AND PURPOSE

2.0 AUTHORITY AND PURPOSE

The Town Board of the Town of Howard, pursuant to the authority granted under Article 2 of the Municipal Home Rule Law, hereby enacts and adopts the following Local Law amending and superceding the residency and related requirements of New York State Public Officer's Law §3 and Town Law §23 for the Town's appointed position of Town Superintendent of Highways and its deputy office position.

ARTICLE 3. RESIDENCY REQUIREMENT AND PREFERENCE

3.0 RESIDENCY REQUIRMENT

The residency and related requirements of New York State Public Officer's Law §3 and Town Law §23 are hereby amended and superceded to extent that any individual holding the appointed position of Town Superintendent of Highways or its deputy office, within the Town, shall only be required to be a resident and elector of the County of Steuben, State of New York.

ARTICLE 4. INCONSISTENCY

4.0 All other local laws and ordinances of the Town of Howard inconsistent with the provisions of this Local law are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

ARTICLE 5. UNCONSTITUTIONALITY AND ILLEGALITY

5.0 If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgement shall not affect, impair, or invalidate any paragraph, word, section or part thereof not directly involved in the controversy in which such judgement shall have been rendered.

ARTICLE 6. EFFECTIVE DATE

6.0 This Local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 19^{XX} 2001
of the (County)(City)(Town)(Village) of Howard was duly passed by the
~~Town Board~~ Town Board on August 8, 2001, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____
of the (County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 19____, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ and was deemed duly adopted on _____ 19____,
(Elective Chief Executive Officer*)
in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____
of the (County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 19____, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 19____. Such local law was submitted
(Elective Chief Executive Officer*)
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of
the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in
accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____
of the (County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 19____, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 19____. Such local law was subject to
(Elective Chief Executive Officer*)
permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in
accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

Loreen A. Karr

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Loreen A. Karr, Town Clerk

Date: 10/29/01

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF STEUBEN

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature Thomas W. Reed II, Esq.

Town Attorney
Title

~~County~~
~~City~~ of Howard
~~Town~~
~~Village~~

Date: 10/25/01