

Local Law Filing

(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 Town Village
(Select one.)

of Seneca

FILED
STATE RECORDS

APR 25 2023

DEPARTMENT OF STATE

Local Law No. 3 of the year 2023

A local law TO WAIVE RESIDENCY FOR CERTAIN POSITIONS WITHIN THE SENECA COUNTY
(Insert Title)
SHERIFF'S DEPARTMENT

Be it enacted by the BOARD OF SUPERVISORS of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of SENECA

as follows:

SECTION 1. INTENT

It is the intent of this Local Law to waive the residency requirement for the position of Seneca County Deputy Sheriff to allow said individuals to reside in either Seneca County or a county contiguous to Seneca County.

SECTION 2. QUALIFICATIONS OF OFFICE

A. In the County of Seneca, no provision of law, New York State or otherwise, requiring a person to be a resident of the political subdivision or municipal corporation of the State for which he/she shall be chosen or within which his/her official functions are required to be exercised, shall prevent a person from holding the Office of Deputy Sheriff for the County of Seneca, provided that such person resides in the State of New York and in Seneca County or a county contiguous to the County of Seneca, to wit: Cayuga, Tompkins, Schuyler, Yates, Ontario, or Wayne; and

B. As allowed or provided under the Civil Service Law of the State of New York, preference in appointment may be given by the Seneca County Personnel Office and the appointing officer to those candidates who reside in Seneca County.

C. A Deputy Sheriff who ceases to be a resident of New York State, Seneca County, or a county contiguous to Seneca County shall be deemed to have resigned his or her employment and vacated the position.

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

- D. A Deputy Sheriff which is hired from a contiguous county gives up his/her ability to take his/her take home vehicle to a contiguous county and will be parked when not working at an approved location in Seneca County.

SECTION 3. PUBLIC OFFICERS LAW – SUPERSEDED AND/OR AMENDED

This Local Law is intended to supersede and/or amend the provision of Public Officers Law Section 3(1), concerning residency requirements for local officers as the same concerns or effects the Office of Deputy Sheriff in Seneca County.

The provision of Section 3 of the Public Officers Law requiring a person to be a resident of the political subdivision for which he or she is chosen shall not prevent a person from holding the Office of Deputy Sheriff of the County of Seneca provided that such person resides in the County of Seneca or a contiguous county to the County of Seneca as set forth above, provided the county is within the State of New York.

SECTION 4. SEVERABILITY

If any section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not effect, impair, or invalidate the remainder thereof that can be given effect without the invalid provision, but shall be confined in its operation to the section thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately and upon filing in the Office of 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. 3 of 2023 of the (County)(City)(Town)(Village) of Seneca was duly passed by the Board of Supervisors on April 11 2023, in accordance with the applicable provisions of law.

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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 2023, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.

Such local law was submitted 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 _____ 20____, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, 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 20____ 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 _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 1 above.

Amanda C. Vaurm

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

Date: 4/12/23

(Seal)