

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 underling to indicate new matter.

County

~~City~~ of Yates

~~Town~~

~~Village~~

LOCAL LAW 1-12

A LOCAL LAW TO ESTABLISH RESIDENCY REQUIREMENTS FOR THE POSITIONS OF ASSISTANT COUNTY ATTORNEY, SOCIAL SERVICES ATTORNEY AND PERSONNEL OFFICER; FOR THE COUNTY OF YATES.

Be it enacted by the Legislature of the

County

~~City~~ of Yates as follows:

~~Town~~

~~Village~~

Section 1: Legislative Intent

The intent of this local law is to define the residency requirement as it pertains to the following public officers: Assistant County Attorney, Social Services Attorney and Personnel Officer. It is the intent of this local law to supersede the provisions of New York State Public Officers Law Section 3(1) with respect said public officers.

Section 2: Residency Requirement: Assistant County Attorney

The provisions of Section 3(1) of the New York State Public Officers Law 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 County Attorney of the County of Yates, provided that such person resides in Yates County or an adjoining county within the State of New York.

Section 3: Residency Requirement: Social Services Attorney

The provisions of Section 3(1) of the New York State Public Officers Law 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 Social Services Attorney of the County of Yates, provided that such person resides in Yates County or an adjoining county within the State of New York.

Section 4: Residency Requirement: Personnel Officer

The provisions of Section 3(1) of the New York State Public Officers Law 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 Personnel Officer of the County of Yates, provided that such person resides in Yates County or an adjoining county within the State of New York.

Section 5: Separability

If any clause, sentence, paragraph or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall have been rendered.

Section 6: Effective Date

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 of 1 of the (County)(City)(Village) of Yates was duly passed by the Legislature on March 12, 2012 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 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved)(repassed after

(Name of Legislative Body)

disapproval) by the _____ and was deemed duly adopted on _____

(Elective Chief Executive Officer*)

20__, 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

(Name of Legislative Body)

disapproval) by the _____ and was deemed duly adopted on _____

(Elective Chief Executive Officer*)

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

(Name of Legislative Body)

disapproval) by the _____ and was deemed duly adopted on _____

(Elective Chief Executive Officer*)

20__. Such local law was submitted 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 countywide basis or, if there are 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.)

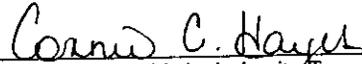
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph __1__, above.



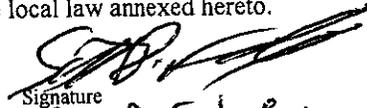
Clerk of the County legislative body, city/Town or Village Clerk
Or officer designated by local legislative body

(Seal)

Date: 3/12/12

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

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
Scott P. Falvey
County Attorney
Title

County
City of Yates
Town
Village

Date: 3/15/12