

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 122/2015

RE: ADOPTING LOCAL LAW X OF 2015, ENTITLED “A LOCAL LAW TO CHANGE THE RESIDENCY REQUIREMENTS FOR THE OFFICE OF TOWN BUILDING INSPECTOR”

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Pleasant Valley introducing proposed Local Law X of 2015, entitled “A Local Law to change the residency requirements for the office of Town Building Inspector”; and

WHEREAS, the Public Hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of the Town; and

WHEREAS, the Public Hearing was held on June 10, 2015, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, the Town Board determined that the proposed Local Law was not subject to Environmental Review; and

WHEREAS, the Town Board of the Town of Pleasant Valley after due deliberation finds that it is in the best interest of the Town to adopt said Local Law; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby adopts Local Law X of 2015 entitled “A Local Law to change the residency requirements for the office of Town Building Inspector”, a copy of which is attached hereto and made a part hereof.

MOTIONED BY: _____

SECONDED BY: _____

DATED: June 10, 2015

ROLL CALL:

AYE

NAY

Councilman Albrecht

Councilman Figliozzi

Councilman Latino

Councilwoman Milicaj

Supervisor Campbell

TOWN OF PLEASANT VALLEY

LOCAL LAW NO. X OF THE YEAR 2015

Re: A LOCAL LAW OF THE TOWN OF PLEASANT VALLEY, NEW YORK TO CHANGE THE RESIDENCY REQUIREMENTS FOR THE OFFICE OF TOWN BUILDING INSPECTOR

BE IT ENACTED by the Town Board of the Town of Pleasant Valley as follows:

Section I: Title.

This Local Law shall be known and cited as Town of Pleasant Valley as “A Local Law to change the residency requirements for the office of Town Building Inspector.”

Section II: Legislative Intent.

The intent of this law is to allow the Town Board the option to appoint as Building Inspector for the Town of Pleasant Valley a person who is not an elector of the Town of Pleasant Valley.

Section III: Authority.

This Local Law is enacted pursuant to § 10 of the Municipal Home Rule Law.

Section IV: Eligibility of the Town of Pleasant Valley Building Inspector.

Chapter 17 of the Town of Pleasant Valley Code entitled “Officers & Employees” shall be amended by adding a new Article III entitled “Town Building Inspector” as follows:

The provisions of the Town Law and § 3 of the Public Officers Law and any other special law requiring a person to be a resident or elector of a political subdivision or a 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 are waived to the extent that such provision shall not prevent a person from holding the office of Town Building Inspector provided that such person is a resident of the County of Dutchess.

Section V: Supersession

This local law is enacted pursuant to the provisions of Municipal Home Rule Law §10 Subdivision 1, Paragraphs (ii)d(3), (ii) a(12) and (ii)a(14), and does supersede any provisions of the Town Law and § 3 of the Public Officers Law and any other law inconsistent with the provisions hereof.”

Section VI: Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section VII: Effective Date.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.