

Local Law Number 3 of 2019

A LOCAL LAW changing the residency requirements to allow the Village Board of Trustees to appoint officers, except members of administrative boards, that may reside outside of the Village within the County of Genesee, New York or an adjoining county

BE IT ENACTED by the Board of Trustees of the Village of Bergen as follows:

Section 1 - Purpose

The Village of Bergen Board of Trustees is desirous of changing the residency requirements of Appointed Village Officers, such as the Administrator/Clerk-Treasurer, Deputy Clerk, Deputy Treasurer, and Superintendent of Public Works. All appointed officials are required to be residents of Genesee County or an adjoining county. All appointed administrative board members, including Zoning Board Members and Planning Board Members, are required to be residents of the Village of Bergen.

Section 2 - Authority

The proposed local law is enacted pursuant to §3-300 of the New York Village Law and Municipal Home Rule Law §§10(1)(ii)(a)(1), and 10(1)(ii)(e)(3).

Section 3 – Eligibility for office; residency requirements

No person shall be eligible to be appointed to or to hold any Village office who: is not a citizen of the United States; is not at least 18 years of age; except as may otherwise be provided by law, is not a resident of Genesee County or an adjoining county; and, if eligibility to or holding of such office is subject to regulation under the Civil Service Law or any other law, does not meet the requirements of such law or laws. Notwithstanding any other provisions of law to the contrary, the Board of Trustees may appoint, in lieu of any other residency requirement imposed by law that an appointed officer may reside within the County of Genesee or an adjoining county. For the purposes of this section, the term "officer" shall not be construed to include elected officers or appointed members of Village administrative boards.

Section 4 - Effective Date

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.