

LOCAL LAW OF THE TOWN OF LAKE GEORGE

FOR THE YEAR 2022

No. 4-2022 (Resolution 143-2022)

A LOCAL LAW

To amend the municipal code of the Town of Lake George, in relation to the Town Code, *Be it enacted by the Town Board of the Town of Lake George as follows:*

Section 1. Chapter 134 of the Municipal code of the Town of Lake George is created as follows:

Article 1. Town Clerk and Town Highway Superintendent

§ 134- 1 Title.

This Chapter shall be known as the “Public Officers Residency Requirement Ordinance o the Town of Lake George, New York.”

§ 134- 2 Purpose.

It is the purpose of this article to establish the residency requirement for the appointed offices of Town Clerk and Town Highway Superintendent. It is additionally the purpose of this article to modify the requirements of §23 of the Town Law and §3 of the Public Officers Law, which sections require that the Town Clerk and Highway Superintendent be residents and electors within the Town.

§ 134- 3 Legislative Authority.

This article is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(1) which authorizes local governments the authority to enact local laws regarding qualifications of local public officers.

§ 134- 4 Effect on Other Legislation.

This article shall supersede Town Law §23(1) and Public Officers Law §3 in its application to the offices of Town Clerk and Highway Superintendent for the Town of Lake George.

§ 134- 5 Residency Requirement Established.

- A. The person holding the appointed office of Town Clerk in the Town of Lake George need not be a resident nor an elector of the Town of Lake George; provided, however, that such person shall reside in Warren County or an adjoining county within the State of New York.
- B. The person holing the appointed office of Highway Superintendent in the Town of Lake George need not be a resident nor an elector of the Town of Lake George; provided, however, that such person shall reside in Warren County or an adjoining county within the State of New York.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged 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, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 3. Effective Date.

This local law shall take effect once filed with the office of the New York State Secretary of State.