

PROPOSED LOCAL LAW A - 2022

A Proposed Local Law amending Chapters 32 and 74 of the Code of the Village of Pelham Manor regarding the residency of certain appointed public officials

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

(Language in strike-through ~~abcedefghijk~~ to be deleted; language in bold is to be added)

Section 1.

Section 32-2 of the Code of the Village of Pelham Manor is amended as follows:

§32-2. Administrative and executive powers.

The administrative and executive powers of the village are vested in an official to be known as the Village Manager who shall be appointed by the Board of Trustees and hold office during the pleasure of such Board; he shall receive such compensation as shall be fixed by the Board of Trustees. Notwithstanding any other provisions of law, the Board of Trustees may also appoint the Village Manager to the office of Village Clerk to serve in such office at the discretion of such Board. **Superseding section Public Officers Law § 3 and Village Law § 3-300, the Village Manager may reside anywhere within the State of New York.**

Section 2.

Section 32-5 of the Code of the Village of Pelham Manor is amended as follows:

§ 32-5 Powers and duties of other village officers.

The officers and employees of the village, excepting the Village Clerk, Village Attorney, Village Treasurer and members and Chairpersons of the Board of Appeals, Planning Board and any boards, commissions or committees created by the Board of Trustees, shall perform such duties as may be required of them by the Village Manager under general regulation of the Board of Trustees. **Superseding section Public Officers Law § 3 and Village Law § 3-300, the Village Clerk and the Superintendent of Public Works may reside anywhere within the State of New York.**

Section 3.

Section 74-2 of the Code of the Village of Pelham Manor is amended as follows:

- A. Appointment. The inspector of buildings shall be appointed by the Board of Trustees and shall hold office until his successor is appointed. **Superseding section Public Officers Law § 3 and Village Law § 3-300, the Building Inspector may reside anywhere within the State of New York.**

Section 4.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other

authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 5.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3) and will supersede Public Officers Law § 3 and Village Law § 3-300 to the extent that they are inconsistent with this local law.

Section 6.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.