

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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 underlining to indicate new matter.

County

City

of NEW LISBON

Town

Village

Local Law No. 1 of the year 1996

A local law to establish the residency requirements for the
(Insert Title)
appointed office of the court clerk for the Town
of New Lisbon.

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County

City

of NEW LISBON as follows:

Town

Village

Section I. Title: A local law to establish the residency requirements for the appointed office of the court clerk for the Town of New Lisbon.

Section II. Authority: This local law is adopted pursuant to the provisions of the Municipal Home Rule Law §10 which grants to local governments the authority to enact local laws which are not inconsistent with general state statutes. This Local Law recognizes that Chapter 747 of the Laws of 1991 amended Public Officers Law §3 by adding a new subdivision 24 exempting the position of the town court clerk in the Towns of Aurora, Holland, and Marilla, Erie County from the required residency requirements. This amendment therefore, rendered Public Officers Law §3 a special state statute with respect to the office of court clerk.

Section III. Supersession: This local law shall supersede Town Law §23 (1) in its application to the Town of New Lisbon for the position of town court clerk.

Section IV. Residency Requirements for the position of Town Court Clerk for the Town of New Lisbon: The person holding the office of town court clerk in the Town of New Lisbon need not be a resident nor an elector of the Town of New Lisbon, provided, however, that such person reside in the county in which such town is located or in an adjoining county within the State of New York.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section V. Inconsistency: All other local laws and ordinances of the Town of New Lisbon inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and in all other aspects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by the local law.

Section VI. Savings Clause: If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgement shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation to the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

Section VII. Effective Date: This local law shall take effect immediately upon filing with the Secretary of State.