

Town of Brighton, Franklin County, New York

Local Law No. 1 of the year 2001

A local law to establish the residence requirements for the appointed office of building inspector

Be it enacted by the Town Board of the Town of Brighton, Franklin County, as follows:

Section I. TITLE: A local law to establish the residence requirements for the appointed office of building inspector

Section II. AUTHORITY: This local law is adopted pursuant to Municipal Home Rule Law, §10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualification for local officers.

Furthermore, this local law recognizes that the State Legislature amended Public Officers Law §3 adding a new subdivision (18) expanding the residence requirements for the building inspector for the town of Mount Pleasant, Westchester County, thereby rendering Public Officers Law a special law with respect to the office of building inspector (See NY Op. Atty. Gen. (Inf.) No. 91-37)

Section III. SUPERSESSION: This local law shall supersede Town Law, §23(1) in its application to the office of building inspector for the Town of Brighton, Franklin County.

Section IV. Residence requirements for the position of the building inspector for the Town of Brighton: The person holding the office of building inspector in the Town of Brighton, Franklin County, need not be a resident nor an elector of the Town of Brighton, provided, however, that such person shall reside in the county in which such town is located or an adjoining county within the State of New York.

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laws and ordinances of the Town of Brighton that are inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such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

Section VI. SAVING 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 judgment shall not affect, impair, or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII. EFFECTIVE DATE: This local law shall take effect immediately upon filing with the Office of the New York State Secretary of State.