

# *Local Law Filing*

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(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 Oswego  
Town  
~~Village~~

Local Law No. 1 of the year 2021

A local law providing that the Town of Oswego to establish the residency requirements for the appointed office of Deputy Town Supervisor

Be it enacted by the Town Board of the  
*(Name of Legislative Body)*

~~County~~  
~~City~~ of Oswego as follows:  
Town  
~~Village~~

## **SECTION 1. Legislative Intent.**

The Town Board for the Town of Oswego this local law shall be known as “a local law to establish the residency requirements for the appointed office of Deputy Town Supervisor for the Town of Oswego.”

## **SECTION 2. Legislative Authority.**

This local law is adopted pursuant to Municipal Home Rule Law § 10[1][ii][a][1] that grants to local governments that authority to enact local law regarding the qualifications of local public officers. Furthermore, this article modifies and expands the residency requirements for a particular appointed public office in the Town of Oswego, County of Oswego, namely, the Deputy Town Supervisor.

**SECTION 3. Supersession of State Law.**

This local law shall supersede Town Law § 23(1) in its application to the office of Deputy Town Supervisor for the Town of Oswego only as to residency, but in no way provides any appointed Deputy Town Supervisor any other rights and specifically reserves to the Town Board and the Town Supervisor the authority to terminate such appointment at any time for any or no reason.

**SECTION 4. Residency Requirements.**

The person holding the office of Deputy Town Supervisor in the Town of Oswego need not be a resident nor an elector of the Town of Oswego; provided, however, that such person shall reside in the county in which such Town is located within the State of New York, or a county contiguous thereto. However, should this provision be limited to one county outside Oswego County being named, that county shall be Onondaga County.

**SECTION 5. Effective Date.**

This Local Law shall take effect 45 days after its adoption and upon its filing with the Secretary of State of the State of New York, subsequent to having been duly adopted by the Town Board of the Town of Oswego.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2021 of the ~~(County)(City)(Town)(Village)~~ of Oswego was duly passed by the Town Board on December 14, 2021, in accordance with the *(Name of Legislative body)* applicable provisions of law.

**~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)~~**

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such *(Elective Chief Executive Officer\*)* local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such *(Elective Chief Executive Officer\*)* local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provision of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. ~~(City local law concerning Charter revision proposed by petition.)~~**

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.~~

**6. ~~(County local law concerning adoption of Charter.)~~**

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors of the General Election of November \_\_\_\_ 20\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

\_\_\_\_\_  
**NIKKI FOWLER, Town Clerk**

*(Seal)*

Date: December \_\_\_\_\_, 2021

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF OSWEGO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature **KEVIN C. CARACCIOLI**

\_\_\_\_\_  
TOWN ATTORNEY

Title

Town of Oswego \_\_\_\_\_

Date: December \_\_\_\_\_, 2021