

## **Proposed LOCAL LAW NO. 1 OF 2026**

### **[ESTABLISHING THE RESIDENCY REQUIREMENTS FOR THE APPOINTED OFFICE OF DEPUTY HIGHWAY SUPERINTENDENT FOR THE TOWN OF CAROGA]**

#### **Section 1 – Legislative Intent and Purpose**

By adoption of this Local Law, it is the intent and purpose of the Town Board of the Town of Caroga to supersede Public Officers Law § 3 and Town Law § 23 to provide that the person appointed to and holding the office of Deputy Superintendent of Highways of the Town of Caroga need not be a resident or elector of the Town of Caroga, provided that such person is a resident of the County of Fulton, New York or of a county adjoining Fulton County.

#### **Section 2 – Authority**

This Local Law is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(1), which grants to local governments authority to enact local laws pertaining to the qualifications of local officers.

#### **Section 3 – Residency Requirement for the Appointed Office of Deputy Superintendent of Highways of the Town of Caroga**

The person appointed to and holding the office of Deputy Superintendent of Highways of the Town of Caroga need not be a resident or elector of the Town of Caroga, provided that such person is a resident of the County of Fulton, New York or of a county adjoining Fulton County.

#### **Section 4 - Supersession**

This local law shall supersede the residency requirements set forth in Public Officers Law § 3 and Town Law § 23 in regard to their application to the appointed office of Deputy Superintendent of Highways of the Town of Caroga.

#### **Section 5 - Inconsistency**

All other local laws and ordinances of the Town of Caroga that are inconsistent with the provisions of this Local Law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and in all other respects this Local Law shall be in addition to such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 and ordinances pertaining to the subject matter encompassed by this Local Law.

#### **Section 6 - 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 judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part directly involved in the controversy in which such judgment shall have been rendered.

#### **Section 7 – Effective Date**

This local law shall take effect upon the filing with the Office of the Secretary of State of the State of New York.

