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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.

**VILLAGE OF MILLERTON**

**LOCAL LAW NO. 3 OF 2022**

**A Local Law to Add a New Chapter 41 Entitled “Residency Requirements” to the Village Code to Allow Certain Public Officers and Employees to be Residents of Dutchess County, NY**

Be it enacted by the Board of Trustees of the Village of Millerton as follows:

**SECTION 1. LEGISLATIVE INTENT**

The Board of Trustees finds that, due to the relatively small population of the Village of Millerton, it is not always possible to fill certain positions in Village government requiring municipal, administrative or financial expertise with Village residents who are duly qualified to hold such positions. The Board further finds that it is authorized under § 3-300 of the New York Village Law and § 10 of the Municipal Home Rule Law to expand such residency requirements to allow residents of Dutchess County to be eligible for said positions.

**SECTION 2. CODE AMENDMENT**

A new Chapter 41, entitled “Residency Requirements” shall be added to the Village Code, which shall read as follows:

Section 41-1. Village Clerk. Notwithstanding any other general or special law, a person shall be eligible to be appointed to the position of Village Clerk if such person is a resident of Dutchess County, New York, in which the Village of Millerton is located.

Section 41-2. Treasurer. Notwithstanding any other general or special law, a person shall be eligible to be appointed to the position of Village Treasurer if such person is a resident of Dutchess County, New York, in which the Village of Millerton is located.

**SECTION 3. SEVERABILITY**

The provisions of this local law are severable. If any provision of this local law or the application thereof to any person, firm, corporation, or circumstance is adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or impair the validity of the other

provisions of this local law or the application thereof to other persons and circumstances.

**SECTION 4. EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Municipal Home Rule Law § 27(1).

(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. 3 of 2022 of the (County)(City)(Town)(Village) of Millerton was duly passed by the Board of Trustees on 11/14 2022, in accordance with the 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) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted 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) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.~~

~~Such 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) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions 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.)**

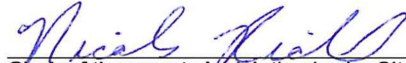
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 at 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 \_\_\_\_\_ above.

  
\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: 11/28/2022