

Local Law Filing

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**Town of OYSTER BAY**

**Local Law No. 5 of the year 2024**

A LOCAL LAW TO AMEND CHAPTER 26 - ELECTIONS, TO ADD A NEW SECTION TO THE CODE OF THE TOWN OF OYSTER BAY, ARTICLE III, GENERAL ELECTIONS, SECTION 26-5, BIENNIAL TOWN ELECTIONS,

**Be it enacted by the TOWN BOARD OF THE TOWN OF OYSTER BAY as follows:**

**Section 1. Legislative Findings.** The Town Board of the Town of Oyster Bay finds and declares it necessary and essential to amend Chapter 26 – Elections, of the Code of the Town of Oyster Bay. Since 1899, it has been the custom and practice of the Town to hold elections of its officers in odd numbered years. However, this custom and practice has never been codified. The purpose for the adoption of the following local law is to remedy this omission.

Article IX, Section 2(c) of the New York State Constitution grants the Town the power to adopt local laws relating to the terms of its elected officers. This power is also conferred upon the Town by Section 10 (1)(a)(1) Municipal Home Rule Law, and Section 10 (1) of the Statute of Local Governments.

**Section 2.** Amend Chapter 26-Elections, to add the following provision, Article III, General Elections, Section 26-5, as follows:

**§ 26-5 Biennial Town Elections.**

A Biennial town election for the election of the Town Supervisor (two-year term), Town Councilmen (four-year term), Town Clerk (two-year term) and Town Receiver of Taxes (four-year term), shall be held on the Tuesday next succeeding the first Monday in November of every odd numbered year.

**Section 3. SEQR Determination.** It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, (SEQR), 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5 (c) (26) of 6 N.Y.C.R.R., pertaining to “routine or continuing agency administration and management, not including new programs or major

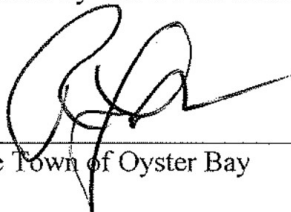
reordering of priorities that may affect the environment” and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

**Section 4. Severability.** If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

**Section 5. Effective Date.** This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

**Certification:**

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2024 of the Town of Oyster Bay was duly passed by the Town Board on May 21, 2024, in accordance with the applicable provisions of law.



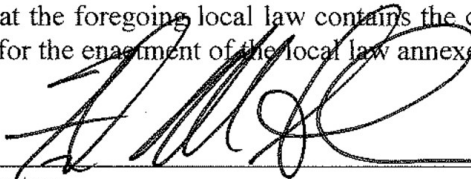
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Clerk of the Town of Oyster Bay

(Seal)

Date: May 21, 2024

STATE OF NEW YORK  
COUNTY OF NASSAU

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



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Title

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Town of Oyster Bay

Date: May 21, 2024