

**BE IT ENACTED BY THE  
TOWN BOARD OF THE  
TOWN OF PITTSFORD  
NEW YORK  
AS FOLLOWS:**

**LOCAL LAW NO. 5 OF 2020:  
THE ADOPTION OF PROPOSED LOCAL LAW  
NO. 5 of 2020: AMENDING CHAPTER 39  
OF THE TOWN OF PITTSFORD MUNICIPAL CODE  
ENTITLED “RESIDENCY REQUIREMENTS.”**

Sec. 1 \_\_\_\_\_ Title

This Local Law shall be known as “Local Law No. 5 of 2020: Amending Chapter 39 of the Town of Pittsford Municipal Code Entitled “Residency Requirements.”

Sec. 2 \_\_\_\_\_ Amendment to Existing Law

The Pittsford Town Code, Chapter 39, shall be amended to read as follows:

**§ 39-1. Purpose.**

The purpose of this local law is to supersede some of the provisions of New York State Town Law § 23, entitled “Eligibility of town officers,” and Public Officers Law § 3, entitled “Qualifications for holding office.” Said provisions require, with certain exceptions not here relevant, that every appointed town officer at the time of his or her appointment and throughout his or her term be a resident of said town. The Town Board finds that such residence requirement is, in most instances, unnecessary and hinders the Town goals of hiring the most competent people from diverse backgrounds.

**§ 39-2. Appointed officers.**

Each of the following appointed Town officers must be residents of the Town at the time of his or her appointment, or within 180 days thereafter, and must remain residents of the Town throughout his or her term of office:

- A. Town Clerk.
- B. Assessor.
- C. Director of Parks and Recreation.
- D. Commissioner of Public Works.
- E. Highway Superintendent.

**§ 39-3. Other appointed officers and employees.**

All other appointed Town officers and employees need not be residents of the Town at the time of their appointment nor throughout their term of office, but they shall be required to maintain their primary residence within the County of Monroe or the adjoining counties of Wayne, Ontario, Livingston, Genesee, and Orleans within the State of New York.

**§ 39-4. Failure to comply.**

The failure of an appointed officer or employee to comply with the residency requirements of this chapter may, in the Town Board's discretion, result in disqualification from office and employment and a vacancy in the office and position so affected.

Sec. 3 Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.

Sec. 4 Effective Date

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.