

Local Law Filing

New York State Department of State

41 State Street, Albany, NY, 12231

Town of DeKalb

Local Law No. 1 of the year 2018

A Local Law Changing the Residency Requirement Applicable to a Code Enforcement Officer.

Be it enacted by the Town Board of

Town of DeKalb as follows:

SECTION 1.

Town Law §138 creates an office entitled Building Inspector. Over the years, this name has been synonymous with Code Enforcement Officer. Courts have held that the Building Inspector/Code Enforcement Officer is a public officer. Public Officer's Law §3(1) requires that the person be a resident of the political subdivision of the municipal corporation which hires him.

In St. Lawrence County, it is almost impossible to find a Code Enforcement Officer who resides in the Town of DeKalb. At the present time, there is not even a valid Civil Service list within the County for hiring a Code Enforcement Officer.

SECTION 2. Intent.

It is the intent of this Local Law to allow the Town of DeKalb to find a Code Enforcement Officer who is competent to fulfill that job for the health, safety and welfare of the residents of the Town of DeKalb.

SECTION 3. Text.

Through the use of its Municipal Home Rule Law, the Town of DeKalb elects to expand the residency requirement for the Code Enforcement Officer/Building Inspector from the political boundaries of the Town of DeKalb to any area within St. Lawrence County.


SECTION 4. SEQR.

This is an unlisted action under the State Environmental Quality Review Act and does not require a SEQR.

SECTION 5. Effective Date.

This Local Law shall become effective upon filing with the Department of State.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 1 of 2018, of the Town of DeKalb was duly passed by the Town Board on 1/17, 2018 in accordance with the applicable provisions of law.



Barbara Creazzo, Clerk
Town of DeKalb

(Seal)

Date: 1/17/18

STATE OF NEW YORK)
) ss.:
COUNTY OF ST. LAWRENCE)

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.



Charles B. Nash, Esq.
Town Attorney
Town of DeKalb

Date: 1/17/18