

**Local Law No. 2 of the year 2025
Town of Vienna, County of Oneida**

**A local law to establish the residency requirements for the
appointed position of Highway Deputy Superintendent for the Town of Vienna.**

Be it enacted by the town board of the Town of Vienna as follows:

Section I. Title: A local law to establish the residency requirements for the appointed position of Deputy Highway Superintendent.

Section II. Authority: This local law is adopted pursuant to Municipal Home Rule Law, § 10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers.

Section III. Supersession: This local law shall supersede Town law, §23(1) in its application to the position of Deputy Highway Superintendent for the Town of Vienna.

Section IV. Residency requirements for the position of Deputy Highway Superintendent for the Town of Vienna: The person holding the position of Deputy Highway Superintendent in the Town of Vienna need not be a resident nor an elector of the Town of Vienna, provided, however, that such person shall reside in the State of New York.

Section V. Inconsistency: All other local laws and ordinances of the Town of Vienna that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such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 or ordinances regulating and governing the subject matter covered by this local law.

Section VI. 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 of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII. Effective Date: This Local Law of the Town of Vienna in the County of Oneida, State of New York shall take effect immediately after it has been filed with all appropriate State Departments or agencies, as may be required by law.

Dated: February 5, 2025

Motion made by: Councilman Spellicy

Motion seconded by: Councilwoman McEwen

VOTING RECORD:

Supervisor Michael M. Davis Sr.	<u>AYE</u>
Councilwoman Mary Beth McEwen	<u>AYE</u>
Councilman Darrin Smith	<u>AYE</u>
Councilman Jason H. Spellicy	<u>AYE</u>
Councilman Jason C. Lamb	<u>ABSENT</u>

IN TESTIMONY HEROF, I have hereunto set my hand and affixed the seal of the Town of Vienna.

Carol L Huber

Carol L Huber, Town Clerk

(SEAL)