

Town of Vienna Local Law No. 6 of the year 2013

A local law to establish the residency requirements for the appointed office of Constable 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 office of Constable.

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 office of Constable for the Town of Vienna.

Section IV. Residency requirements for the position of the Constable for the Town of Vienna: The person holding the office of Constable 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local laws and ordinances of the Town of Vienna that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such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.

Motion By: Councilman Graham

Seconded By: Councilman Keeney

Motion Carried.

Voting Record:

Supervisor Mark Helt	<u> Aye </u>
Councilman Walter Keeney	<u> Aye </u>
Councilman Jason C. Lamb	<u> Aye </u>
Councilman A. Peter Rich	<u> Aye </u>
Councilman William Graham	<u> Aye </u>

Dated: August 7, 2013

Donna M Clark, Town Clerk
(SEAL)