

TOWN OF EVANS
PROPOSED LOCAL LAW #1 OF THE YEAR 2020
RESIDENCY OF TOWN ATTORNEY

§17-1 PURPOSE

The purpose of this chapter is to expand the applicant pool of attorneys who may qualify to serve as Town Attorney in the Town of Evans by broadening the required residency for this office from the Town of Evans to the County of Erie.

§17-2 STATE STATUTE INTENDED TO BE CHANGED OR SUPERCEDED

Pursuant to the home rule authority provided to the Town of Evans by the New York State Municipal Home Rule Law, the Town of Evans intends to change and/or supersede the provisions of Public Officers Law § 3(1), Public Officers Law § 30(1)(d), and Town Law § 23(1), which require that a town attorney reside within the town where he or she is appointed at the time of his or her appointment and during his or her tenure in office, except in towns having no resident attorney.

§17-3 RESIDENCY REQUIRED

Effective January 1, 2020, a person appointed to the office of town attorney in the Town of Evans shall not be required to be a resident of the Town of Evans at the time of his or her appointment and during his or her tenure in office. However, a town attorney appointed in the Town of Evans shall be a resident of the County of Erie at the time of his or her appointment and during his or her tenure in office.

§17-4 EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.