

STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
WWW.DOS.NY.GOV

Introduced as LL# 7 of 2018  
State filed as LL# 1 of 2019

ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

January 29, 2019

Cindy Urtz  
Clerk  
138 N. Court St, PO Box 635  
Wampsville NY 13163

**RE: County of Madison, Local Law 1 2019, filed on January 22, 2019**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492



Department  
of State

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

X County

- ~~City~~ of Madison
- ~~Town~~
- ~~Village~~

Local Law No. 1 of the year 2019

A Local Law to Exempt Special Patrol Officers Employed by the Madison County  
(insert Title)  
Sheriff's Office from the Residency Provisions of New York Public Officers Law §3.

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Be it enacted by the Board of Supervisors of the Madison County  
(Name of Legislative Body)

X County

- ~~City~~ of Madison as follows:
- ~~Town~~
- ~~Village~~

"See Attached Page"

(If additional space is needed, attach pages the same size as this sheet, and number each.)

## **LOCAL LAW – COUNTY OF MADISON**

### **A LOCAL LAW TO EXEMPT SPECIAL PATROL OFFICERS EMPLOYED BY THE MADISON COUNTY SHERIFF'S OFFICE FROM THE RESIDENCY PROVISIONS OF NEW YORK PUBLIC OFFICERS LAW §3**

Be it enacted by the Madison County Board of Supervisors as follows:

#### **SECTION 1: TITLE**

This law shall be known as the "Local Law to Exempt Special Patrol Officers Employed by the Madison County Sheriff's Office from the Residency Provisions of New York Public Officers Law §3."

#### **SECTION 2: LEGISLATIVE INTENT**

The County of Madison, via the Office of the Sheriff, has a position entitled Special Patrol Officer, and these officers are employed to maintain order and provide security in public buildings, schools, and courtrooms. Currently under New York State Public Officers Law individuals holding the position of Special Patrol Officer must be residents of Madison County. The Board of Supervisors has determined that there is a greater need for Special Patrol Officers than may be met by drawing solely from within the County of Madison. As such, in order to assure an adequate pool of qualified applicants for the office of Special Patrol Officer within the Madison County Sheriff's Office, and also to retain such applicants if hired, it is necessary and advisable that individuals holding said office of Special Patrol Officer within the County of Madison be permitted to reside either within the County of Madison or within any county contiguous to the County of Madison. Therefore, this Board of Supervisors hereby adopts the following exemption from any provision of the New York State Public Officers Law imposing a more restrictive residency qualification for holding the office of Special Patrol Officer within the County of Madison.

#### **SECTION 3: EXEMPTION**

In the County of Madison, the provisions of Section 3 of the Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the state for which such person shall be chosen or within which such person's official functions are required to be exercised, shall not prevent a person from holding the office of Special Patrol Officer within the Madison County Sheriff's Office, provided, however, that such person performing the duties and functions of Special Patrol Officer resides in Madison County or any adjoining county within New York State. Any contrary provision of the Public Officers Law is hereby superseded by this Local Law.

#### **SECTION 4: SEVERABILITY**

If any section, subsection, sentence, clause, phrase or other portion of this Local Law is for any reason declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such position shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law, which shall remain in full force and effect.

#### **SECTION 5: EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the Secretary of State pursuant to Municipal Home Rule Law Section 27.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 19 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Madison was duly passed by the Board of Supervisors on January 17, 20 19 in accordance with the applicable (Name of Legislative Body) provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 2 \_\_\_\_\_ in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2 \_\_\_\_\_ (Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_ in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)** \_\_\_\_\_

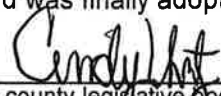
I hereby certify that the local law annexed hereto, designated as local law No \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.



\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: January 17, 2019

(Seal)