

TOWN OF NORTH EAST

PROPOSED LOCAL LAW NO. B OF THE YEAR 2026

A LOCAL LAW CHANGING THE RESIDENCY REQUIREMENTS FOR THE OFFICE OF TOWN HIGHWAY SUPERINTENDENT

BE IT ENACTED by the Town Board of the Town of North East as follows:

SECTION 1. PURPOSE.

The purpose of this Local Law is to permit the Town of North East to appoint to the position of Town Highway Superintendent a person having the necessary qualifications for holding that office but who is not an elector of the Town of North East. This Local Law is intended to provide a substantial benefit to the residents of the Town of North East by widening the scope of prospective applicants for the position of appointed Highway Superintendent to include those who have the necessary qualifications and experience to hold such office in the Town of North East, but who are not electors of the Town of North East.

SECTION 2. AUTHORITY.

This Local Law is enacted pursuant to the authority of Chapter 365 of the Laws of 1976 which added a new paragraph (3) to paragraph d of Subsection 1 of Section 10 of the Municipal Home Rule Law authorizing towns to adopt a local law which may amend or supersede any provision of the Town Law in relation to the property affairs or government of the Town or in relation to any of the other numerated subject matters in such Section 10, unless there is a state legislative restriction on such amendment or supersession.

SECTION 3. ELIGIBILITY OF TOWN HIGHWAY SUPERINTENDENT.

Section 23 of the Town Law is hereby amended and superseded in its application to the Town of North East to provide that the Town Superintendent of Highways of the Town of North East at the time of his or her appointment, and throughout his or her term of office, need not be an elector of the Town of North East. A new sentence is hereby inserted at the end of Section 23 of the Town Law to read and provide as follows:

“Notwithstanding the provisions of subdivision “1” of this Section, in the Town of North East, Dutchess County, the person performing the functions of Town Highway Superintendent need not be an elector of such Town.”

SECTION 4. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstances, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 3. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State as required by law.