

RESOLUTION NO. 407

**LOCAL LAW INTRODUCTORY C, YEAR 2022 OF
THE COUNTY OF GENESEE, NEW YORK, TO
EXPAND THE RESIDENCY TERRITORIAL AREA
TO EMPLOY GENESEE COUNTY SHERIFF'S
OFFICE CORRECTION OFFICERS – ADOPTION OF**

Legislator Maha offered the following Resolution:

**LOCAL LAW INTRODUCTORY C, YEAR 2022
COUNTY OF GENESEE, NEW YORK**

**ADOPT LOCAL LAW C OF THE YEAR 2022: A LOCAL LAW CREATING AN
EXPANSION TO THE RESIDENCY REQUIREMENT FOR THE CORRECTION
OFFICERS FOR THE COUNTY OF GENESEE**

BE IT ENACTED, by the County Legislature of the County of Genesee, State of New York as follows:

Section 1. Legislative Intent and Preface.

The County of Genesee Legislature hereby finds that in order to ensure an adequate pool of qualified applicants as Correction Officer, it is necessary and advisable that such Correction Officer may be permitted to reside within the County of Genesee or any county contiguous to the County of Genesee: namely, Erie, Niagara, Orleans, Monroe, Livingston, or Wyoming Counties.

Section 2. Purpose.

In the County of Genesee, the provisions of Section 3(1) of the New York State 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 Correction Officer in Genesee County, provided, however, that such person performing the duties and functions of Correction Officer resided in Genesee County or any county contiguous to the County of Genesee, unless otherwise provided by an act of the State Legislature.

Section 3. Severability.

If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgement shall have been rendered.

Section 4: Effective Date.

This Local Law shall take effect immediately upon filing with the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

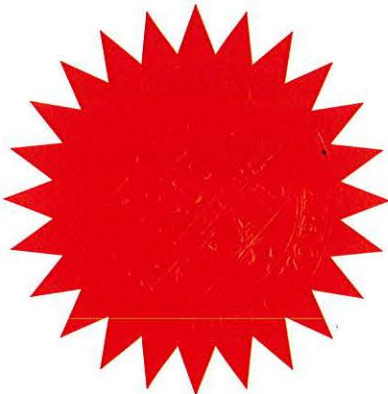
WHEREAS, the Clerk of the Genesee County Legislature did post a certified notice of the Public Hearing on said proposed Local Law on the bulletin boards in the Old County Courthouse and the County Building in the County of Genesee, and

WHEREAS, the Clerk of Genesee County Legislature did cause to be published in the Batavia Daily News, the official newspaper of the County of Genesee, the notice of Public Hearing on Local Law Introductory C, Year 2022, and

WHEREAS, a Public Hearing was held at 5:30 p.m. on September 28, 2022 at the Old County Courthouse, Batavia, New York, at which time all interested persons who wished to speak were heard. Now, therefore, be it

RESOLVED, that a **“A LOCAL LAW CREATING EXPANSION TO THE RESIDENCY REQUIREMENT FOR THE CORRECTION OFFICERS FOR THE COUNTY OF GENESE”** to be known as Local Law Number 4, Year 2022, for the County of Genesee be and hereby is adopted.


Legislator Dibble seconded the resolution which was adopted by 182 votes, Clattenburg (18) absent.



State of New York
County of Genesee

I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted by the Genesee County Legislature on the 28th day of September 2022. Dated, Batavia, New York.

September 29, 2022


Clerk of the Genesee County Legislature