

# 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.

- County
- City of BRIARCLIFF MANOR
- Town
- Village

Local Law No. 2 of the year 20 09

A local law TO AMEND CHAPTER 54, WITH RESPECT TO RESIDENCY REQUIREMENTS.  
*(Insert Title)*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Be it enacted by the BOARD OF TRUSTEES of the  
*(Name of Legislative Body)*

- County
- City of BRIARCLIFF MANOR as follows:
- Town
- Village

SEE ATTACHED

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

(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. 2 of 20 09 of the (County)(City)(Town)(Village) of BRIARCLIFF MANOR was duly passed by the BOARD OF TRUSTEES on FEBRUARY 5, 20 09, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**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 \_\_\_\_\_ 20 \_\_\_\_\_, 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 \_\_\_\_\_ 20 \_\_\_\_\_. *(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 *(Elective Chief Executive Officer\*)* 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

(Seal)

Date: \_\_\_\_\_

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF WESTCHESTER \_\_\_\_\_

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*Wormser, Kiely, Galef + Jacobs LLP*  
*R. Christopher B. Smith*

\_\_\_\_\_  
Signature  
Village Attorney, Wormser, Kiely, Galef & Jacobs  
\_\_\_\_\_  
Title

County \_\_\_\_\_  
City of Briarcliff Manor \_\_\_\_\_  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: 2/19/08

A LOCAL LAW TO AMEND  
CHAPTER 54 OF THE CODE OF  
THE VILLAGE OF BRIARCLIFF  
MANOR WITH RESPECT TO  
APPOINTED OFFICER RESIDENCY  
REQUIREMENTS

Be it enacted by the Village Board of Trustees of the Village of Briarcliff Manor, as follows:

Section 1. Article I, Section 54-1 through Section 54-4, and Article II, Section 54-5 through Section 54-7, of Chapter 54 of the Code of the Village of Briarcliff Manor are deleted in their entirety.

Section 2. New Section 54-1, Section 54-2, and Section 54-3 are added to Chapter 54 of the Code of the Village of Briarcliff Manor to read as follows:

“§ 54-1. Intent.

“The following Section 54-2 and Section 54-3 of this Chapter 54 are intended to permit the Village Board of Trustees to change the residency requirements of appointed Village officers as the Board may determine from time to time by resolution.

“§ 54-2. Residence Requirements for Appointed Village Officers.

“The Board of Trustees may, from time to time, by resolution, provide that all or any particular appointed officers or officer of the Village of Briarcliff Manor, with the exception of the Village Manager and the Chief of Police, need not be a resident of the Village but must be a resident of Westchester County, Putnam County, or Dutchess County in New York State.

“§ 54-3. Supersession of State Law.

“This article shall supersede any inconsistent provision of Public Officers Law §3, Public Officers Law §30, and Village Law §3-300.”

Section 3. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 4. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York in accordance with the provisions of the Municipal Home Rule Law.

# AFFIDAVIT OF PUBLICATION

from

## The Journal News

Florence Bonilla

\_\_\_\_\_ being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

**Note:** the code to the left of the run dates indicates the zone(s) that the ad was published.  
(See legend below)

**Zone**      **Dates**

Zone	Dates
AC	1/24/2009

PUBLIC NOTICE  
NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Briarcliff Manor will hold a public hearing at 7:30 p.m. on the 5th day of February, 2009 in the Municipal Building, 1111 Pleasantville Road, Briarcliff Manor, New York to hear and discuss amendments to Chapter 54, Residency Requirement.  
  
Christine Dennett,  
Village Clerk  
  
Dated: January 23, 2009

Signed \_\_\_\_\_ *fb*

Sworn to before me  
This 3rd day of feby 20 09

**JULIA KYLE**  
Notary Public, State of New York  
No: 01KY6198797  
Qualified in Westchester County  
Commission Expires January 5, 2013

*Julia Kyle*  
Notary Public, Westchester County

### Legend:

**Northern Area (AN):**  
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson

**Central Area (AC):**  
Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains

7190146

**Southern Area (AS):**  
Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers

**Greater Westchester (GW):**  
Includes Northern area, Southern area and Central area. (See details below each area)

**Rockland Area (JN or RK):**  
Blauvelt, Congers, Gamerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

**Review Press (BWW):**  
Bronxville, Eastchester, Scarsdale, Tuckahoe

**Putnam Express (XPU)**  
Baldwin Place, Brewster, Carmel, Mahopac, Putnam Valley, Patterson

**Sound Shore Express (XSS)**  
Purchase, Port Chester, Rye, Harrison, Mamaroneck, Larchmont, New Rochelle, Pelham

**White Plains Express (XWP)**  
Elmsford, Hawthorne, Valhalla, White Plains

**Yorktown and Cortlandt Express (XYC)**  
Buchanan, Cortlandt Manor, Crompond, Croton-on-Hudson, Crugers, Jefferson Valley, Lincolndale, Mohgan Lake, Montrose, Ossining, Peekskill, Shenorock, Shrub Oak, Verplank, Yorktown Heights

**Northern Westchester Express (XNW)**  
Armonk, Bedford, Bedford Hills, Chappaqua, Katonah, Mount Kisco, Pleasantville, Thornwood