

November 9, 2010

Village of Lyndonville
2 South Main Street
P.O. Box 270
Lyndonville, NY 14098

Attn: Debra D. Miller, Clerk-Treasurer

Re: Local Law No. 3 for the Year 2010
Village of Lyndonville, Orleans County, New York

Dear Debra:

Please find enclosed herewith fully executed original Local Law in the above-referenced matter for your files.


Very truly yours,



David C. Schubel

DCS/sm
Enclosure

November 9, 2010

 COPY

CERTIFIED MAIL - RETURN RECEIPT

NYS Department of State
State Records and Laws Bureau
99 Washington Avenue, Suite 600
Albany, NY 12231

Re: Local Law No. 3 for the Year 2010
Village of Lyndonville, Orleans County, New York

Dear Sir or Madam:

Please find enclosed a certified copy of the above captioned numbered Local Law entitled A Local Law Establish the Residency Requirements for the Village Clerk-Treasurer, Deputy Clerk-Treasurer, and Superintendent of Public Works for filing in your office.

Very truly yours,

David C. Schubel
Lyndonville Village Attorney

DCS/sm
Enclosure

cc: Debra D. Miller, Village Clerk



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

DAVID A. PATERSON
GOVERNOR

RUTH NOEMI COLÓN
ACTING SECRETARY OF STATE

November 15, 2010

David C Schubel
Webster Schubel & Meier
113 West Center Street
Suite 2, PO Box 606
Medina NY 14103

RECEIVED
NOV 23 2010
WEBSTER SCHUBEL & MEIER

RE: Village of Lyndonville, Local Law 3 2010, filed on November 15, 2010

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.state.ny.us.

Sincerely,
State Records and Law Bureau
(518) 474-2755

Local Law Filing

New York State Department of State
Suite 600, 99 Washington Ave., Albany, NY 12231

(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 **Lyndonville**
Town
Village

Local Law No. 3 of the year 2010.

A local law A Local Law to Establish the Residency Requirements for the Village Clerk-Treasurer, Deputy Clerk-Treasurer, and Superintendent of Public Works
(Insert Title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

County
City of Lyndonville, New York as follows:
Town
Village

A Local Law to Establish the Residency Requirements for the Village Clerk-Treasurer, Deputy Clerk-Treasurer, and Superintendent of Public Works

SECTION 1. TITLE:

A Local Law to Establish the Residency Requirements for the Village Clerk-Treasurer, Deputy Clerk-Treasurer, and Superintendent of Public Works.

SECTION 2. AUTHORITY:

This Local Law is adopted pursuant to Village Law, Section 3-300 (2.) and Municipal Home Rule Law, Section 10 (1) (ii) (a) (1) that grants to local governments the authority to enact Local Laws regarding the qualifications of local officers.

SECTION 3. SUPPRESSION:

This Local Law shall supersede Village Law Section 3-300 (2.) in its application to the Offices of Clerk-Treasurer, Deputy Clerk-Treasurer, and Superintendent of Public Works for the Village of Lyndonville.

SECTION 4. RESIDENCY REQUIREMENTS FOR VILLAGE OF LYNDONVILLE CLERK-TREASURER, DEPUTY CLERK-TREASURER, AND SUPERINTENDENT OF PUBLIC WORKS:

The persons holding the offices of Clerk-Treasurer, Deputy Clerk-Treasurer and Superintendent of Public Works for the Village of Lyndonville need not be a resident nor an elector of the Village of Lyndonville, provided, however, that such persons shall reside in the county (Orleans) in which such village is located.

SECTION 5. INCONSISTENCY:

All other local laws and ordinances in the Village of Lyndonville that are inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating or governing the subject matter covered by this local law.

SECTION 6. SAVINGS CLAUSE:

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, or paragraph thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. EFFECTIVE DATE:

This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance.

(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 2010, of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of Lyndonville, New York was duly passed by the Board of Trustees on November 8, 2010, in accordance with the applicable 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) _____ was duly passed by the _____ on _____ 20____, and was (approved) (not disapproved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2010, 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 2010 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of _____ was duly passed by the _____ on _____ 2010, and was (approved) (not disapproved) (repassed after (Name of Legislative Body) disapproval) by the _____ on _____ 2010. Such local law was submitted to (Elective Chief Executive Officer) 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 2010 of the ~~(County)~~ ~~(City)~~ ~~(Town)~~ (Village) of _____, New York was duly passed by the Board of Trustees (Name of Legislative Body) on _____, 2010, and was (approved) (not disapproved) (repassed after disapproval) by the Mayor on _____, 2010. Such local law was subject to permissive referendum and (Elective Chief Executive Officer*) no valid petition requesting such referendum was filed as of _____, 2010, 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 chairman 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.

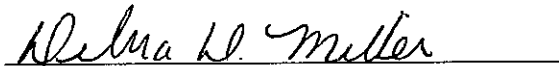
6. (County local law concerning adoption of Charter.)

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 of 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.

(SEAL)



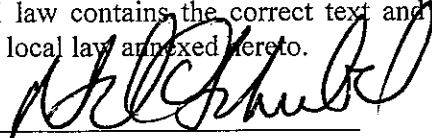
Debra D. Miller
Village Clerk, Village of Lyndonville

Date: November 9, 2010

(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 ORLEANS

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.



David C. Schubel
Village Attorney

County _____
City of Lyndonville
Town _____
Village _____

Date: November 9, 2010