

**COUNTY OF WAYNE
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Wednesday, August 26, 2020 at 9:00 a.m.** in the Supervisors' Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK
INTRO NO 3/LOCAL LAW NO.____ FOR THE YEAR 2020**

A Local Law Superseding the Residency Requirement of the Public Officers Law for the Position of Assistant District Attorney in the County of Wayne.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1: LEGISLATIVE INTENT

The intent of this local law is to define the residency requirement as it pertains to the following public officers: Assistant District Attorneys. It is intent of this local law to supersede the provisions of the New York State Public Officers Law Section 3(1) with respect to said public officers.

SECTION 2: RESIDENCY REQUIREMENT: ASSISTANT DISTRICT ATTORNEY

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 he or she shall be chosen, or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Assistant District Attorney of the County of Wayne, provided that such person resides in Wayne County or a geographically adjoining county within the State of New York.

The provisions of this local law shall not apply to any person holding the office of First Assistant District Attorney, the holder of which office would assume the duties of the District Attorney upon the District Attorney's absence from the county or upon the District Attorney's inability to perform his or her duties.

This local law shall only apply to Assistant District Attorneys.

SECTION 3: SEPARABILITY

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

SECTION 4: EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State in accordance with Article 3, §27 of the Municipal Home Rule Law.

Dated: August 13, 2020
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors