



**THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK**

Date: September 22, 2021

Sponsored by Council Members: Scaringi, Strawn, Scanlon, Resciniti

Introduced by Committee: Employees

LOCAL LAW NO. 1 OF 2021

entitled

A LOCAL LAW AMENDING THE CHARTER OF
THE CITY OF BINGHAMTON, CHAPTER 13,
ELIGIBILITY, REGARDING RESIDENCY
REQUIREMENTS FOR CITY OF BINGHAMTON
EMPLOYEES

WHEREAS, the City Charter § C-13, *Eligibility*, provides that no person shall be eligible for appointment to a City office or as a City employee, unless, at the time of his or her appointment, he or she is a bona fide resident of the City of Binghamton, unless the Municipal Civil Service Commission of the City of Binghamton waive the residence requirements set forth; and

WHEREAS, the Municipal Civil Service Commission of the City of Binghamton has recommended that this restriction be eliminated for non-elected employees; and

WHEREAS, the Council of the City of Binghamton wishes to amend § C-13 to provide that applicants residing Broome County will no longer need a waiver if there are no such applicants eligible that reside in the City of Binghamton; and

WHEREAS, the Council of the City of Binghamton wishes to (i) amend § C-13, first paragraph, (ii) replace section A, and (iii) to delete in their entirety sections B, C, and D.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Charter of the City of Binghamton, § C-13, *Eligibility*, is hereby amended as follows:

§ C-13. Eligibility. [L.L. No. 1-1951, § 1; L.L. No. 3-1955, § 1; L.L. No. 4-1962, § 1; L.L. No. 1-1963, § 1; L.L. No. 3-1966, § 2; L.L. No. 6-1977, § 1; L.L. No. 8-1977, § 1; L.L. No. 5-1978, § 1; Amended 2-5-14 by Ord. No. 5-2014; **Amended 9-22-21 by L.L. No. 1-2021**]

No person shall be eligible for ~~appointment or~~ election to a City office ~~or as a City employee~~, unless, at the time of his or her election ~~or appointment~~, he or she is a bona fide resident of said City, ~~nor to any ward office unless he or she shall be at the time a bona fide resident elector of the ward for which he or she is elected or appointed~~, nor to the office of Councilperson unless he or she shall be at the time a bona fide resident elector of the Councilmanic district for which he or she is elected or appointed, ~~nor appointment as a City employee unless he or she is a bona fide resident of Broome County~~; and whenever any elected official of said City shall cease to be a resident of said City ~~or of the ward~~ or of the Councilmanic district for which he or she was elected the office or position shall thereby become vacant; and whenever any other employee

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of said City shall cease to be a resident of the County of Broome the position shall thereby become vacant. *Notwithstanding the foregoing, residents of the City of Binghamton will be given a preference in hiring if they have equal or greater education, professional training, or experience for a position to be filled.* ~~residency provisions of this section, the Municipal Civil Service Commission of the City of Binghamton shall have the power to waive the residence requirements hereinabove set forth, for City employees, except elected officials, under the following circumstances:~~

A. ~~The Commission may grant a waiver from residency in Broome County for non-elected officials who reside in New York State for (i) a contract employee, e.g., the City Assessor, or (ii) other employees for a period not to exceed three (3) months for such employee to move into Broome County. Whenever it shall be established to the satisfaction of the Commission that there are no applicants residing in the City of Binghamton who meet the necessary requirements of education, professional training or experience for a position to be filled in the City of Binghamton, waiver may be granted to enable a nonresident to take a civil service examination for such position, but residents of the City of Binghamton shall be preferred in appointment from the list established after such examination prior to the appointment of any nonresident.~~

Section 2. That the Charter of the City of Binghamton, § C-13, *Eligibility*, is hereby amended to delete sections B, C, and D.

Section 3. That this Local Law shall take effect upon filing with the Secretary of State.

Introductory No. LL21-01

Permanent No. LL21-01

Sponsored by City Council Members:
Scaringi, Strawn, Scanlon, Resciniti

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THE CITY OF BINGHAMTON, CHAPTER 13,
ELIGIBILITY, REGARDING RESIDENCY
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EMPLOYEES

The within Local Law was adopted by the Council of
the City of Binghamton.

9/22/21
Date

Jamie Farrell
City Clerk

9/23/21
Date Presented to Mayor

9/23/21
Date Approved

[Signature]
Mayor

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilwoman Riley		✓		
Councilwoman Friedman		✓		
Councilman Burns		✓		
Councilman Strawn	✓			
Councilman Scanlon	✓			
Councilwoman Resciniti	✓			
Total	4	3	0	0

Code of the City of Binghamton

Adopted Defeated

4 Ayes 3 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 9/22/21. Approved by the Mayor on 9/23/21 [Signature]