

By Legislators Barnhart and Baynes

Intro No. _____

LOCAL LAW NO. _____ OF 2026

ENACT A LOCAL LAW ENTITLED "WAIVER OF RESIDENCY REQUIREMENT FOR MONROE COUNTY SURVEYOR"

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. A new chapter shall be added as Chapter 393 of the Monroe County Code entitled "Waiver of Residency Requirement for Monroe County Surveyor" and shall read as follows:

§ 1 Definitions. Defined terms used in this local law shall have the same meaning as ascribed to them below:

COUNTY shall mean Monroe County.

SURVEYOR shall mean an individual employed by Monroe County as a Surveyor as that term is used in the Monroe County Administrative Law.

§ 2 Residency Requirement. Public Officers Law § 3, as amended or changed, is hereby amended and superseded in its application to the County as follows: provisions of Public Officers Law § 3, as amended or changed, requiring a person to be a resident of the political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 in which his or her official functions are required to be exercised, shall not prevent a person from being employed as a Surveyor by the County, provided that such person resides in the County or any adjoining county within New York State.

Section 2. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 3. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Matter of Urgency
File No. 26-0024.LL

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

OFFICIAL FILE COPY	
No.	260024
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
URGENT	-L

January 12, 2026

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Enact a Local Law Entitled "Waiver of Residency Requirement for Monroe County Surveyor"

Honorable Legislators:

I recommend that Your Honorable Body enact a local law entitled "Waiver of Residency Requirement for Monroe County Surveyor."

Section 255 of Monroe County's Administrative Law requires the County to employ a Surveyor. The County Surveyor performs a variety of essential duties for the County, including but not limited to reviewing and approving all subdivision maps filed with the Monroe County Clerk; ensuring that County procedures and policies are complied with regarding the acquisition of property and related right-of-way work; and providing advice and technical assistance regarding highway right-of-way and property lines.

Over the course of the past ten months, the Real Property and Human Resources Departments have performed an intensive search for a new County Surveyor as our former County Surveyor has recently retired. This search has included several job postings on the County's website and on other social media and employment-related websites. Additionally, the County issued a Request for Quotation ("RFQ") to over 800 licensed surveyors in New York. This RFQ yielded only one reply, which was from an unqualified respondent.

Despite the aforementioned challenges, the County has recently identified a licensed and qualified surveyor residing in Livingston County who would like to accept the position of Monroe County Surveyor.

The specific legislative action required is:

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law entitled "Waiver of Residency Requirement for Monroe County Surveyor."

This action is a Type II Action pursuant to 6 NYCRR §617.5(c)(26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

Enactment of this Local Law will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter receive favorable action by Your Honorable body.

Sincerely,



Adam J. Bello
Monroe County Executive

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_____ Committee; _____, 2026 - CV:

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File No. 26-____.LL