

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, 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~~

Town

~~Village~~

of Lyme

Local Law No. 1 of the year 2006.

A local law to grant volunteer fire fighters and volunteer ambulance workers  
(Insert Title)

real property tax exemptions.

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

~~County~~

~~City~~

Town

~~Village~~

of Lyme as follows:

Article 1. - Statement of Authority. The Town Board of the Town of Lyme, pursuant to the authority granted it under Sections 466-c of the Real Property Tax Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Town Board of the Town of Lyme hereby finds that service to the community by volunteer fire fighters and volunteer ambulance workers is essential to providing quality services to residents of the Town of Lyme. In recognition of the service rendered by these individuals and the considerable time which they must expend on such efforts for the betterment of the community, it is the purpose of this local law to grant those volunteer fire fighters and volunteer ambulance workers a real property tax exemption in accordance with Section 466-c of the Real Property Tax Law.

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

Article 3. - Enactment. The Town Board of the Town of Lyme hereby enacts as follows:

- A. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or voluntary ambulance service where such enrolled member and spouse residing in the Town of Lyme shall be entitled to an exemption from real property taxation to the extent of 10% of the assessed value of such property for Town taxes exclusive of special assessments, but in no event may such exemption exceed \$3,000 multiplied by the latest State Equalization Rate for the Town.
- B. This exemption shall not be granted to enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in the Town unless:
  - a. The applicant resides in the Town of Lyme and is a member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service.
  - b. The property on which the exemption is sought is the primary residence of the applicant.
  - c. The property is used exclusively for residential purposes, provided, however, in the event any portion of such property is not used exclusively for the applicant's residence, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion shall be entitled to the exemption provided by this law.
  - d. The applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company or fire department as an enrolled member of such incorporated volunteer fire company or fire department for at least 5 years or the applicant has been certified by the authority having jurisdiction in the incorporated voluntary ambulance service as an enrolled member of such voluntary ambulance service for at least 5 years. It shall be the duty or the responsibility of the Assessor to determine the procedure for certification.
- C. An older member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance

service who accrues more than 20 years of active service and is so certified by the authority of the jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service shall be granted the 10% exemption as authorized by this section for remainder of his/her life as long as his/her primary residence is located within the Town of Lyme.

- D. Application for exemption must be filed with the Assessor on or before the taxable status date each year on a form that is prescribed by the State Board.

Article 4. - Severability. If any part of this local law shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this local law.

Article 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

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 \_\_\_\_\_, above.

*Kim Wallace Town Clerk*

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: February 16, 2006

(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 Jefferson

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.

*[Signature]*

Signature

Town Attorney

Title

~~County~~  
~~City~~ of Lyme  
~~Town~~  
~~Village~~

Date: February 16, 2006

(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 2006 of the ~~(County)(City)(Town)(Village)~~ of Lyme was duly passed by the Town Board on 02/08 2006 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)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*~~

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)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. 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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local 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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* 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.

JEFFERSON COUNTY BOARD OF LEGISLATORS  
Resolution No. 196

Increasing the Sliding Scale Income Eligibility Range for Partial Real Property  
Tax Exemptions for Certain Individuals Sixty-Five Years of Age or Over

By Legislator: Robert D. Bault

Whereas, By Resolution No. 201-A of 1985, This Board initially established a sliding scale for income eligibility for a partial real property tax exemption for certain individuals sixty-five years of age or over, pursuant to Section 467 of the Real Property Tax Law, and

Whereas, Said sliding scale was successively modified by Resolutions No. 385 of 1988, 87 of 1990, 42 of 1991, and 6 of 1995 to increase the levels of income eligible for such an exemption, and

Whereas, This Board has not increased the income levels eligible for said exemption since 1995, and

Whereas, Section 467 of the Real Property Law has been amended since 1995 to authorize higher levels of income to be eligible for the exemption, and

Whereas, It is this Board's desire to increase the income levels for eligibility for the exemption proportional to the increases permitted under State law since 1995.

Resolved, That Pursuant to Section 467 of the Real Property Tax Law as amended there is hereby established a sliding scale of income eligibility for a partial real property tax exemption for certain individuals sixty-five years of age or older, said income levels and percentages of exemption being as follows:

<u>Annual Income</u>	<u>Percentage Assessed Valuation Exempt from Taxation</u>
Less than or equal to \$12,800	50 per centum
More than \$12,800 but less than or equal to \$13,800	45 per centum
More than \$13,800 but less than or equal to \$14,800	40 per centum
More than \$14,800 but less than or equal to \$15,800	35 per centum
More than \$15,800 but less than or equal to \$16,700	30 per centum

More than \$16,700 but less than  
or equal to \$17,600

25 per centum

More than \$17,600 but less than  
or equal to \$18,500

20 per centum

and be it further

Resolved, That this resolution shall take effect upon its adoption.

Seconded by Legislator:

*Jennie A. [Signature]*

State of New York )  
County of Jefferson ) ss.:

I, the undersigned, Clerk of the Board of Legislators of the County of Jefferson, New York, do hereby certify that I have compared the foregoing copy of Resolution No. 146 of the Board of Legislators of said County of Jefferson with the original thereof on file in my office and duly adopted by said Board at a meeting of said Board on the 6th day of September, 2005 and that the same is a true and correct copy of such Resolution and the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the seal of said County this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Clerk of the Board of Legislators

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\_\_\_\_  
e 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 cit-  
ies 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 in-  
dicated in paragraph \_\_\_\_\_, above.

*Kim Wallace Jan Clark*

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: February 16, 2006

2al)

(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 Jefferson

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.

*[Signature]*  
\_\_\_\_\_  
Signature

Town Attorney

\_\_\_\_\_  
Title

~~County~~  
~~City~~ of Lyme  
Town \_\_\_\_\_  
~~Village~~

Date: February 16, 2006