

Local Law Filing

(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 Clinton
Town
Village

Local Law No. 1 of the year 2010

A local law AUTHORIZING A REAL PROPERTY TAX EXEMPTION TO QUALIFIED VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS
(Insert Title)

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County
City of Clinton as follows:
Town
Village

BE IT ENACTED by the Legislature of the County of Clinton, as follows:

SECTION 1. LEGISLATIVE INTENT. The County Legislature recognizes the roles of the volunteer firefighters and ambulance workers in securing the safety and well being of our communities. The County Legislature hereby finds that it is in the best interests of the County of Clinton to encourage volunteerism for said purposes. The New York State Legislature has recently amended the Real Property Tax Law by adding a new Section 466-j to authorize the County to permit enrolled volunteer firefighters and volunteer ambulance workers to be eligible for a real property tax exemption. To that end, by providing the following exemption it is the intent of the County Legislature to so encourage volunteerism for our various fire and ambulance companies.

SECTION 2. EXEMPTIONS FOR CERTAIN VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS.

- (a) Real property owned by an individual who has been an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service in Clinton County or such enrolled member and spouse who resides in Clinton County shall be exempt from taxation to the extent of ten percent of the assessed value of such property for county purposes, exclusive of special assessments.

- (b) Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in such county unless:
 - (i) the applicant resides in the city, town or village which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
 - (ii) the property is the primary residence of the applicant;
 - (iii) the property is used exclusively for residential purposes; provided however, that 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 the remaining portion only shall be entitled to the exemption provided by this law; and
 - (iv) the incorporated volunteer fire company or fire department or incorporated voluntary ambulance service has certified that the applicant has been an enrolled member of such incorporated voluntary fire company, or fire department, or incorporated voluntary ambulance service for at least five years and remains an active enrolled member.
- (c) Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within this state.
- (d) Application for such exemption shall be filed with the assessor on or before the taxable status date on a form as prescribed by the state board.
- (e) No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of this article on the effective date of this section shall suffer any diminution of such benefit because of the provisions of this section.

SECTION 3. EFFECTIVE DATE. This law shall take effect on the first day of January next succeeding the date on which said law is adopted and apply to taxable status dates next succeeding the date on which this act shall have become a law.

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

(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 the (County) ~~(City)~~ ~~(Town)~~ ~~(Village)~~ of Clinton was duly passed by the Clinton County Legislature on September 22, 2010 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 _____, and was (approved) (not approved) (repassed after (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer) _____ 20__ 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 20__ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after (Name of Legislative Body) disapproval) by the _____ on _____ 20__. Such local (Elective Chief Executive Officer) 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.

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 (Name of Legislative Body) disapproval) by the _____ on _____ 20__. Such local (Elective Chief Executive Officer) law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 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 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.**

5. (City local law concerning Charter revision proposed by petition.)

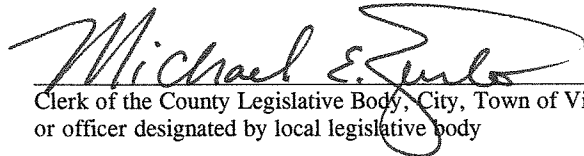
I hereby certify that the local law annexed hereto, designated as Local Law No. _____ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on _____ 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 1 above.


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

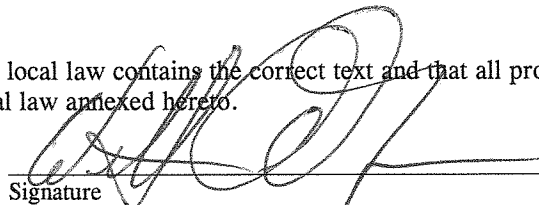
(Seal)

Date: September 22, 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 CLINTON

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

William A. Favreau, Esq., County Attorney
Title

County
City of Clinton
Town
Village

Date: September 22, 2010