

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 ☒ Town ☐ Village
(Select one:)

of Clay

FILED
STATE RECORDS

OCT 29 2012

Local Law No. 5 of the year 2012

DEPARTMENT OF STATE

A local law to amend CHAPTER 205 entitled "TAXATION," adding a new article
(Insert Title)
entitled "ARTICLE 9 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-c" to the Code of the Town of Clay.

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

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Clay as follows:

SEE ATTACHED LOCAL 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. 5 of 2012 of the ~~(County)(City)(Town)(Village)~~ of Clay was duly passed by the Town Board on October 15, 2012, 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) (Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*)
on _____ 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) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

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.

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) (Name of Legislative Body)
(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.

* 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.)

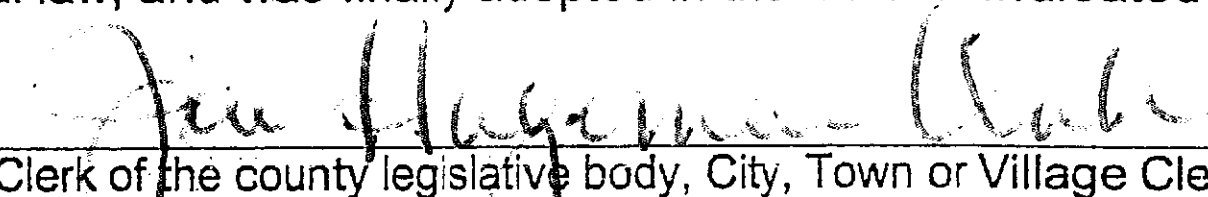
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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


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

Jill Hageman-Clark, Town Clerk

Date: October 23, 2012

(Seal)

LOCAL LAW NO. 5 OF THE YEAR 2012

TOWN OF CLAY

LOCAL LAW NO. 5 OF THE YEAR 2012 TO AMEND CHAPTER 205 entitled 'TAXATION', adding a new article entitled "**ARTICLE 9 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c**" to the Code of the Town of Clay

IT IS ENACTED by the Town Board of the Town of Clay, County of Onondaga as follows:

SECTION 1. Amending **CHAPTER 205** entitled 'TAXATION', by adding a new Article entitled "**ARTICLE 9 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**" to the Code of the Town of Clay.

On September 17th, 2012, the Town Board called a public hearing for proposed Local Law No. 5 of the Year 2012 for October 1st, 2012 commencing at 7:38 P.M.

Notice of public hearing published in the Post Standard on September 21st, 2012.

Public hearing held and completed October 1st, 2012.

Local Law No. 5 of the Year 2012 was approved at the October 15th, 2012 Town Board Meeting.

Local Law No. 5 of the Year 2012 was sent to Dept. of State on _____.

Received letter from Dept. of State, local law filed on _____.

§ 205-46 Title.

This local law is to be known as a **LOCAL LAW AMENDING CHAPTER 205, "TAXATION"**, by adding a new **ARTICLE IX**, entitled **LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

§ 205-47 Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Clay pursuant to General Municipal Law §3-c, and to allow the Town of Clay to adopt a budget for the fiscal year beginning January 1, 2013 and ending December 31, 2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law.

§ 205-48 Authority.

This local law is adopted pursuant to subdivision 5 of the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least 60 percent (60%) of the Town Board.

§ 205-49 Tax Levy Limit Override.

The Town Board of the Town of Clay, located in the County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

§ 205-50 Severability.

If any clause, sentence, paragraph, subdivision, or part of this proposed local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted 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, or part this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

§ 205-51 Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.