

RECEIVED

**TOWN OF HAMPTON
COUNTY OF WASHINGTON, STATE OF NEW YORK**

NOV 30 2016

Washington County
Real Prop. Tax Serv.

LOCAL LAW NO. 5 OF 2016

**A LOCAL LAW TO OPT OUT OF NEW YORK STATE REAL PROPERTY TAX LAW
SECTION 487 PROVIDING FOR AN EXEMPTION FOR SOLAR, WIND OR FARM-
WASTE ENERGY SYSTEMS**

Be it enacted by the Town Board (the "Board") of the Town of Hampton ("Town"), County of Washington, State of New York ("State") as follows:

Section 1. Legislative Intent.

New York State Real Property Tax Law Section 487 provides for an exemption from taxation for certain solar energy systems, wind energy systems or farm waste energy systems, and further provides in sub-section 8 of such section that a town may, by local law, provide that no exemption under this section shall be applicable within its jurisdiction with respect to any solar energy system, wind energy system or farm waste energy system constructed subsequent to the effective date of this local law.

Section 2. Opt Out of Exemption.

Pursuant to the authority of Real Property Tax Law Section 487, sub-section 8, the Town of Hampton hereby opts out of the exemption from real property taxes granted by New York State Real Property Tax Law Section 487, subsection 2, and related sub-sections, so that no exemptions under the provision of said Real Property Tax Law shall be applicable to town taxes with respect to solar energy systems, wind energy systems or farm waste energy systems in the Town of Hampton.

Section 3. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this Local 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 Local 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 4. Repealer.

This local law shall supersede all prior local laws, ordinances, rules and regulations of the Town of Hampton that may be inconsistent with this local law and any such prior laws, ordinances, rules and regulations shall be, upon the effective date of this Local Law, null and void.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.