



Real Property Tax Law Section 487 NYSERDA

Submitted On:

Feb 2, 2024, 07:22AM EST

Jurisdiction Name	Town of Stony Point
Jurisdiction Type	Town
Jurisdiction Website	www.townofstonypoint.org/
County	Rockland
Street Address	74 East Main St
Street Address 2	
City	Stony Point
State	NY
Zip/Postal Code	10980
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Local law or resolution attachment	20230221 Filed Local Law.pdf
Type of Filing	Opt-out
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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 Stony Point

FILED
STATE RECORDS

FEB 21 2023

DEPARTMENT OF STATE

Local Law No. 3 of the year 2023

A local law to remove the exemption from Town taxation contained in New York State Real Property

(Insert Title)

Tax Law section 487 for, inter alia, any solar or wind energy system.

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

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

of Stony Point as follows:

see attached

(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. 3 of 2023 of the (County)(City)(Town)(Village) of Stony Point was duly passed by the Town Board on February 14 2023, 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 _____ 2023, 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.)

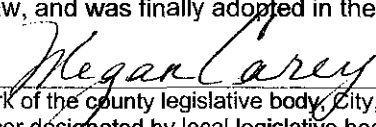
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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

Date: February 15 2023

(Seal)

TOWN OF STONY POINT

LOCAL LAW NO. 3 OF 2023

A LOCAL LAW OPTING OUT OF REAL PROPERTY TAX EXEMPTION FOR CERTAIN ENERGY SYSTEMS

BE IT ENACTED by the Town Board of the Town of Stony Point, Rockland County, New York ("Town Board") as follows:

Section 1. Legislative Intent.

It is the intent of this Local Law to remove the exemption from Town taxation contained in New York State Real Property Tax Law (RPTL) § 487 for, *inter alia*, any solar or wind energy system. RPTL § 487 grants a fifteen-year exemption from real property taxation on the increase in assessed value attributable to the construction of said systems. As such, and because the Town is substantially residential, the Town Board seeks to protect the Town's tax base by the adoption of this local law.

Section 2. Authority.

This Local Law is adopted pursuant to RPTL § 487(8)(a) which provides that a county, city, town or village may, by local law, provide that no exemption under this section shall be applicable within its jurisdiction.

Section 3. Removal of Exemption

Pursuant to this Local Law, the exemption provided by RPTL § 487 is hereby removed for the purposes of Town taxation and no such exemption shall be granted with respect to any solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel electric energy storage equipment and electric energy storage system, or fuel-flexible linear generator electric generating system, which began construction subsequent to the date of legislative effect (January 1, 1991) or the effective date of such local law, whichever is later. Further, the Town opts out of this exemption for any other type of energy system that may be incorporated in RPTL § 487, unless a local law to the contrary is adopted.

Section 4. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5 (26) and (33), this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.

Section 5. Severability.

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of 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.

Section 6. Code Preparation.

The Town's Code preparation contractor is authorized, without further action of the Town Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this local law.

Section 7. Effective date.

This Local Law shall be effective immediately upon filing with the Commissioner of the New York State Department of Taxation and Finance, the President of the New York State Energy Research and Development Authority, and the Secretary of State as may be necessary.