



Real Property Tax Law Section 487 NYSEDA

Submitted On:
Feb 2, 2024, 07:18AM EST

Jurisdiction Name	Village of Airmont
Jurisdiction Type	Village
Jurisdiction Website	www.airmont.org/
County	Rockland
Street Address	251 Cherry Lane
Street Address 2	PO BOX 578
City	Tallman
State	NY
Zip/Postal Code	10982
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Local law or resolution attachment	Filed Local Law.pdf
Type of Filing	Opt-out
Tracking ID	RPTL487_0000342
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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 Airmont

FILED
STATE RECORDS

JUN 10 2022

Local Law No. 2 of the year 20 22

DEPARTMENT OF STATE

A local law Opting out of real property tax
(Insert Title)
exemption for energy systems

Be it enacted by the VILLAGE BOARD OF TRUSTEES of the
(Name of Legislative Body)

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

of AIRMONT as follows:

(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. 2 of 20 22 of the (County)(City)(Town)(Village) of Village of Airmont was duly passed by the Village Board of Trustees on June 07 20 22, in accordance with the applicable provisions of law.

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.

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.

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.

* 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.

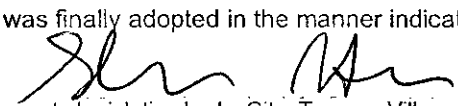
6. (County local law concerning adoption of Charter.)

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.

(Seal)


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

Date: 6/8/2022

VILLAGE OF AIRMONT

LOCAL LAW NO. 20F 2022

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

BE IT ENACTED by the Village Board for the Village of Airmont, Rockland County, New York ("Village Board") as follows:

Section 1. Legislative Intent.

It is the intent of this Local Law to remove the exemption from Village taxation contained in New York State Real Property Tax Law (RPTL) § 487 for certain energy systems. This Section 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 Village is substantially residential, the Village Board seeks to protect the Village 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. Amendment

Chapter 183 (Taxation) of the Village Code shall be Amended to add a new Article, "Article IX" as follows:

Article IX Energy Systems Exemption

§ 183-60 Elimination of Exemption

Pursuant to this Local Law, the exemption provided by RPTL § 487 is hereby removed for the purposes of Village 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 cell electric generating system, micro-combined heat and power generating equipment system, 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 Village 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. Effective date.

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