

Town of Denmark, County of Lewis, State of New York
3707 Roberts Road
Carthage, NY 13619

Supervisor Doyle offered a resolution, to enact Local Law #1 of 2022, Override Tax Cap, seconded by Councilman Wadsworth as follows:

Resolution 138 of 2022: Enact Local Law 1 of 2022 to Override Tax Cap

WHEREAS, the Town Board of the Town of Denmark, New York has devoted considerable time and attention to budgetary issues for the upcoming fiscal year; and

WHEREAS, the Town Board intends to adopt legislation to provide greater financial flexibility during budget deliberation, if needed.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board for the Town of Denmark, New York as follows:

1. The forgoing recitation is incorporated herein and made a part hereof as if set forth hereafter.
2. The Town Board hereby enacts the Local Law to Override the Tax Levy Limit as being in the best interest of the Town of Denmark.
3. The Supervisor for the Town of Denmark and the Town Clerk for the Town of Denmark their respective agents and employees are authorized to sign all documents and take all steps necessary to enact this legislation.
4. This legislation shall be filed with the New York State Department of State, the President of the New York State Energy Research and Development Authority; and with the New York State Commission of Taxation and Finance.
5. This Resolution shall take effect immediately.

Councilman Wadsworth	Aye
Councilman Fazio	Absent
Supervisor Doyle	Aye
Councilman Jones	Aye
Councilwoman Rowsam	Aye

Resolution 138 of 2022 adopted 10.17.2022

I, Susan D. Kirch-Corey, Deputy Town Clerk of the Town of Denmark in the County of Lewis, State of New York do hereby certify that the preceding Resolution 138 of **2022** was duly adopted by the Town Board of the Town of Denmark at a meeting of the Board held on **October 17, 2022**, and that the same is true and correct copy of such Resolution and whole thereof.

10/18/2022
Date

Susan D. Kirch-Corey
Susan D. Kirch-Corey

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 Denmark

Local Law No. _____ of the year 2022

A local law TO OVERRIDE TAX CAP
(Insert Title)

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

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

of Denmark _____ as follows:

SEE ATTACHED

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

TOWN OF DENMARK

LOCAL LAW NO. 1 FOR 2022

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

BE IT ENACTED by the Town Board of the Town of Denmark as follows:

Section 1. **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 Denmark pursuant to General Municipal Law §3-c, and to allow the Town of Denmark to adopt a budget for the fiscal year beginning **January 1, 2023** and ending **December 31, 2023** that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. **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 limit by adoption of a local law approved by a vote of at least sixty percent (60%) of the Town Board.

Section 3. **Tax Levy Limit Override:** The Town Board of the Town of Denmark, County of Lewis is hereby authorized to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. **Severability:** If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudicated 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 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 5. **Effective Date:** This local law shall take effect immediately upon filing with the Secretary of State.

(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. _____ of 2022 of the (County)(City)(Town)(Village) of Denmark was duly passed by the Town Board (Name of Legislative Body) on 10/17 2022, 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 _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) and was deemed duly adopted on _____ 2022, 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 _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) 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 _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) 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.