

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 ROOT

Local Law No. _____ of the year 20²²

A local law OPTING OUT OF THE SOLAR, WIND AND FARM ENERGY REAL PROPERTY TAX
(Insert Title)
EXEMPTION PROVIDED BY RPTL SECTION 487.

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

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

of ROOT as follows:

BE IT ENACTED BY the Town Board of the Town of Root, Montgomery County.

A Local Law Opting Out of the Solar, Wind and Farm Energy Real Property Tax Exemption provided by RPTL Section 487.

Section 1. Purpose

The purpose of this Local Law is to opt the Town of Root out of the real property tax exemption provided for under Real Property Tax Law Section 487 concerning real property that includes solar, wind or farm waste energy systems as provided for by Real Property Tax Law (RPTL) Section 487(8).

Section 2. Definitions

As used in this article, unless otherwise expressly stated, definitions shall be as set forth in Section 487 of the New York State Real Property Tax Law.

Section 3. Elimination of exemption.

As provided for by Real Property Tax Law Section 487(8)(a), no exemption shall be applicable within the Town of Root's taxing jurisdiction with respect to any solar or wind energy system or farm waste energy system which began construction as of the effective date of this local law.

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

Section 4. Separability.

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein and if such person or circumstance to which the local law or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5. Repealer.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

Section 6. Effective Date.

This local law shall take effect immediately upon the filing with the New York State secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Section 7. Filing.

A copy of this local law or resolution shall be filed with the Commissioner of the New York State Department of Taxation and Finance and with the President of the New York State Energy Research and Development Authority.

(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. 1 of 2022 of the (County)(City)(Town)(Village) of ROOT was duly passed by the TOWN BOARD on December 14, 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 _____ 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.)

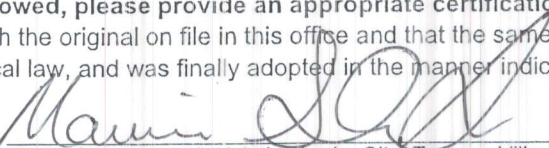
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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

Date: 12-14-2022

