

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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.

~~XXXXXX~~

~~County~~
~~City~~ of Duanesburg
~~Town~~
~~Village~~

Local Law No. 2 of the year 2005

A local law ESTABLISHING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION ON
(Insert Title)
PROPERTY OWNED BY CERTAIN PERSONS WHO ARE MEMBERS OF VOLUNTEER FIRE
COMPANIES OR VOLUNTEER AMBULANCE SERVICES PURSUANT TO SECTION 466-e
OF THE NEW YORK REAL PROPERTY TAX LAW.

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

~~XXXXXX~~

~~County~~
~~City~~ of Duanesburg as follows:
~~Town~~
~~Village~~ 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. _____ 2 _____ of 20 05 _____ of the (County)(City)(Town)(Village) of _____ Duaneburg _____ was duly passed by the _____ Duaneburg Town Board _____ on March 10 _____ 2005, 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)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

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.

Richard M. Deane

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

(Seal)

Date: March 11, 2005

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Schenectady

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]

Signature

Attorney for the Town of Duanesburg

Title

~~County~~
~~City~~ of Duanesburg
~~Town~~
~~Village~~

Date: 3/14/05

TOWN OF DUANESBURG

Local Law No. 2 of the year 2005

A LOCAL LAW ESTABLISHING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION ON PROPERTY OWNED BY CERTAIN PERSONS WHO ARE MEMBERS OF VOLUNTEER FIRE COMPANIES OR VOLUNTEER AMBULANCE SERVICES PURSUANT TO SECTION 466-e OF THE NEW YORK REAL PROPERTY TAX LAW.

Be it enacted by the Town Board of the Town of Duanesburg as follows:

SECTION 1. AUTHORITY

This local law is enacted pursuant to the authority of Chapter 705 of the laws of 2004, §1, effective January 1, 2005, constituting section 466-e, Chapter 50-A of the Consolidated Laws of the State of New York, authorizing towns to adopt a local law providing for exemption from taxation for volunteer firefighters and volunteer ambulance workers.

SECTION 2. PURPOSE

In light of the critical lifesaving services provided by volunteer firefighters and volunteer ambulance workers to the residents of the Town of Duanesburg and in order to retain and attract qualified personnel, it is deemed advantageous by the Town Board of the Town of Duanesburg to enact a local law providing for annual exemption from taxation for volunteer firefighters and volunteer ambulance workers pursuant to section 466-e of the New York Real Property Tax Law.

SECTION 3.

Insofar as Real Property Tax Law section 466-e Real Property Tax Law applies to the Town of Duanesburg, said law is hereby adopted in its application to the Town of Duanesburg as follows:

1. Pursuant to section 466-e of the New York Real Property Tax Law, real property owned by a person, or owned by such person and his or his spouse, who is an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service shall be exempt from taxation by the Town of Duanesburg to the extent of ten percent of the assessed value of such property for town purposes, exclusive of special assessments, provided, however, that such

exemption shall in no event exceed three thousand dollars multiplied by the latest state equalization rate for the Town of Duanesburg.

2. Such exemption shall not be granted unless:
 - (a) The person applying for the exemption resides in the Town of Duanesburg and the Town of Duanesburg is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance services;
 - (b) The property is the primary residence of the person applying for the exemption;
 - (c) The property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this local law;
 - (d) The person applying for the exemption has been certified by the authority having jurisdiction for the incorporated volunteer fire company or fire department as an enrolled member of such incorporated volunteer fire company or fire department for at least five years, or has been certified by the authority having jurisdiction for the incorporated voluntary ambulance service as an enrolled member of such incorporated voluntary ambulance service for at least five years. The procedure for certification shall be determined by the Town of Duanesburg Assessor's Office.
3. On or after the effective date of this local law, any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this local law for the remainder of his or her life as long as his or her primary residence is located within the County of Schenectady.
4. Application for such exemption shall be filed annually with the Town of Duanesburg's Assessor's Office on or before the exemption filing deadline date on NYS Board of Real Property Services Form RP-466-e.

5. No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of Article 4 of the New York State Real Property Tax Law on January 1, 2005 shall suffer any diminution of such benefit because of the provisions of this local law.

SECTION 4. VALIDITY

See Real Property Tax Law Section 466-e, effective as of January 1, 2005.

SECTION 5. EFFECTIVE DATE

This local law shall be effective upon filing with the Department of State.