

(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.

FILED
STATE RECORDS

DEC 20 2016

Village of OCEAN BEACH

Local Law No 03 of the year 2016

DEPARTMENT OF STATE

A local law To Amend Chapter 6, Sections 6-1 through 6-5: Real Property Tax Levy Limit Override

(Insert Title)

Be it enacted by the BOARD OF TRUSTEES of the
(Name of Legislative Body) Village of OCEAN BEACH as follows:

COMPLETE TEXT 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. 03 of 2016- of the (Village) of OCEAN BEACH was duly passed by the BOARD OF TRUSTEES on December 10, 2016 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.

(Name of Legislative Body)
(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.

(Name of Legislative Body)
(Elective Chief Executive Officer*)

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.

(Name of Legislative Body)
(Elective Chief Executive Officer*)

* 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. 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 _____ I _____, above.

INC. VILLAGE OF OCEAN BEACH

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

STEVEN W. BRAUTIGAM, CLERK/TREASURER

(Seal)

Date: Steve Brautigam

(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 SUFFOLK

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]

Kenneth A. Gray, VILLAGE ATTORNEY

Title

Inc. Village of OCEAN BEACH

Date: 12/15/14



INCORPORATED VILLAGE OF OCEAN BEACH

RESOLUTION NO. 2016-170

A LOCAL LAW TO AMEND CHAPTER 6, SECTIONS 6-1 THROUGH 6-5 OF THE CODE OF THE VILLAGE OF OCEAN BEACH: RESOLUTION NO. 2016-170:

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Ocean Beach to adopt a local law to override the tax levy limit established in General Municipal Law §3-c, as follows:

1. Chapter 6, Sections 6-1 through 6-5 are hereby created to read as follows:

Chapter 6 REAL PROPERTY TAX LEVY LIMIT OVERRIDE

§ 6 - 1. Legislative Intent

§ 6 - 2. Authority

§ 6 - 3. Tax Levy Limit Override.

§ 6 - 4. Severability.

§ 6 - 5. Effective date.

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Ocean Beach to adopt a budget for the fiscal year commencing June 1, 2017 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 General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Ocean Beach, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2017 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court 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 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

