

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 ~~if~~ underlining to indicate new matter.

**FILED
STATE RECORDS**

APR 22 2014

DEPARTMENT OF STATE

Village of Deferiet

Local Law No. 1 of the year 2014

**A Local Law to Override the Tax Levy Limit Established by Section 3-C
of the New York General Municipal Law**

(Insert title)

Be it enacted by the Board of Trustees of the Village of Deferiet as follows:

(Name of Legislative Body)

Section 1. Legislative Intent

It is the intent of the Board of Trustees of the Village of Deferiet through this local law to allow the Village of Deferiet to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by Section 3-C of the New York General Municipal Law.

Section 2. Authority.

This local law is adopted by the Board of Trustees of the Village of Deferiet pursuant to Subdivision 5 of Section 3-C of the New York General Municipal Law, which expressly authorizes a local government to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of not less than 60% of the governing body of such local government.

Section 3. Tax Levy Limit Override.

The Board of Trustees of the Village of Deferiet, County of Jefferson, New York, is hereby authorized to adopt a budget for the fiscal year for such Village commencing June 1, 2014, that requires a real property tax levy in excess of the amount otherwise prescribed by Section 3-C of the New York General Municipal Law.

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 have been rendered.

Section 5. Effective Date.

This local law shall take effect on upon filing with the Secretary of State as required by the New York Municipal Home Rule Law.

(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. 1 of 2014 of the Village of Deferiet was duly passed by the Board of Trustees on April 2, 2014, 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. 1 of 2014 of the (County)(City)(Town)(Village) of DEFERIET was duly passed by the (Name of Legislative Body) on 2014, and was (approved)(not approved) (repassed after disapproval) by the Janet Zando (Elective Chief Executive Officer*) and was deemed duly adopted on April 2, 2014, 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. 1 of 2014 of the (County)(City)(Town)(Village) of DEFERIET was duly passed by the Board of Trustees on April 2, 2014, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the JANET ZANDO (Elective Chief Executive Officer*) on April 2, 2014.~~

~~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 2013, 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. 1 of 2014 of the (County)(City)(Town)(Village) of DEFERIET was duly passed by Board of Trustees on April 2, 2014, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the Janet Zando (Elective Chief Executive Officer*) on April 2, 2014. Such local~~

~~law was subject to permissive referendum and no valid petition requesting such referendum was filed as of April 2, 2014, 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. 1 of 20 14 of the City of DEFERIET 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 Nov 3 2013, became operative.~~

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

~~I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 14 of the County of DEFERIET State of New York, having been submitted to the electors at the General Election of November 3, 20 14, 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 town 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.




Gail Lapiere
Clerk, of the Village of Deferiet

Date: April 2, 2014

(seal)

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

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


Joseph W. Russell, Village Attorney
Village of Deferiet

Date: April 11, 2014