

# 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 of SOUTHOLD
- Village

FILED  
STATE RECORDS

DEC 21 2016

DEPARTMENT OF STATE

Local Law No. 12 of the year 2016.

A Local Law entitled, A Local Law in relation to Amendments to Chapter 17, Community Preservation Fund, in connection with First Time Homebuyer Exemption

Be it enacted the Town Board of the:

- County
- City
- Town of SOUTHOLD
- Village

## LOCAL LAW NO. 12 of 2016

### I. Purpose.

The Town Board has determined that in order to promote the affordability of home ownership within the Town for first-time homebuyers, certain first-time homebuyers may be exempt from the Peconic Bay Region Community Preservation Fund transfer tax in accordance with the recent amendment to New York State §1449-ee(4).

### II. Chapter 17 of the Code of the Town of Southold is hereby amended as follows:

#### §17-25. Additional exemptions.

- A. There shall be allowed an exemption of \$150,000 on the consideration of the conveyance of improved real property or an interest therein.
- B. There shall be an exemption of \$75,000 on the consideration of the conveyance of unimproved real property or an interest therein.
- C. There shall be allowed an exemption for a first-time homebuyer where the purchase price of the primary residential property is within 80% of the purchase price limits defined by the State of New York Mortgage Agency Low Interest Rate Mortgage Program (SONYMA) in the non-target one-family

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

categories for Suffolk County in effect on the contract date for the sale of such property and the homebuyer's household income does not exceed the income limits defined by SONYMA's Low Interest Rate Mortgage Program in the non-target, one- and two-person household category for Suffolk County in effect on the contract date for the sale of such property.

### III. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

### IV. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

(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. 12 of 20 16 of the ~~(County)(City)(Town)(Village)~~ of SOUTHOLD was duly passed by the TOWN BOARD on December 6, 20 16, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or re-passage 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)(re-passed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted 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)(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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

(Seal)

Elizabeth A. Neville  
Clerk of the County legislative body. City. Town or Village Clerk or officer designated by local legislative body  
**Elizabeth A. Neville, Town Clerk**  
Date: December 14, 2016

(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.

William Duffy  
Signature  
**William Duffy, Town Attorney**  
**Damon Hagan, Assistant Town Attorney**

Title  
~~County~~  
~~City~~  
Town of SOUTHOLD  
~~Village~~  
Date: December 14, 2016



**RESOLUTION 2016-1104**

Item # 5.53

**ADOPTED**

DOC ID: 12574

**THIS IS TO CERTIFY THAT THE FOLLOWING RESOLUTION NO. 2016-1104 WAS ADOPTED AT THE REGULAR MEETING OF THE SOUTHOLD TOWN BOARD ON DECEMBER 6, 2016:**

**WHEREAS**, there has been presented to the Town Board of the Town of Southold, Suffolk County, New York, on the 9<sup>th</sup> day of November, 2016, a Local Law entitled **“A Local Law in relation to Amendments to Chapter 17, Community Preservation Fund, in connection with First Time Homebuyer Exemption.”** and

**WHEREAS** the Town Board of the Town of Southold held a public hearing on the aforesaid Local Law at which time all interested persons were given an opportunity to be heard. Now Therefor Be It

**RESOLVED** that the Town Board of the Town of Southold hereby enacts the proposed Local Law entitled, **“A Local Law in relation to Amendments to Chapter 17, Community Preservation Fund, in connection with First Time Homebuyer Exemption”** reads as follows:

**LOCAL LAW NO. 12 2016**

A Local Law entitled, **“A Local Law in relation to Amendments to Chapter 17, Community Preservation Fund, in connection with First Time Homebuyer Exemption”**.

**BE IT ENACTED** by the Town Board of the Town of Southold as follows:

**I. Purpose.**

The Town Board has determined that in order to promote the affordability of home ownership within the Town for first-time homebuyers, certain first-time homebuyers may be exempt from the Peconic Bay Region Community Preservation Fund transfer tax in accordance with the recent amendment to New York State §1449-ee(4).

**II. Chapter 17 of the Code of the Town of Southold is hereby amended as follows:**

**§17-25. Additional exemptions.**

**A.** There shall be allowed an exemption of \$150,000 on the consideration of the conveyance of improved real property or an interest therein.

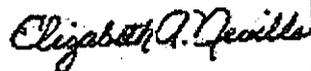
- B.** There shall be an exemption of \$75,000 on the consideration of the conveyance of unimproved real property or an interest therein.
  
- C.** There shall be allowed an exemption for a first-time homebuyer where the purchase price of the primary residential property is within ~~60%~~ 80% of the purchase price limits defined by the State of New York Mortgage Agency Low Interest Rate Mortgage Program (SONYMA) in the non-target one-family categories for Suffolk County in effect on the contract date for the sale of such property and the homebuyer's household income does not exceed the income limits defined by SONYMA's Low Interest Rate Mortgage Program in the non-target, one- and two-person household category for Suffolk County in effect on the contract date for the sale of such property.

**III. SEVERABILITY**

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect the validity of this law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**IV. EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.



**Elizabeth A. Neville**  
**Southold Town Clerk**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Louisa P. Evans, Justice  
**SECONDER:** William P. Ruland, Councilman  
**AYES:** Dinizio Jr, Ruland, Doherty, Ghosio, Evans, Russell

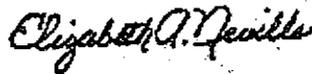
- B.** There shall be an exemption of \$75,000 on the consideration of the conveyance of unimproved real property or an interest therein.
- C.** There shall be allowed an exemption for a first-time homebuyer where the purchase price of the primary residential property is within ~~60%~~ 80% of the purchase price limits defined by the State of New York Mortgage Agency Low Interest Rate Mortgage Program (SONYMA) in the non-target one-family categories for Suffolk County in effect on the contract date for the sale of such property and the homebuyer's household income does not exceed the income limits defined by SONYMA's Low Interest Rate Mortgage Program in the non-target, one- and two-person household category for Suffolk County in effect on the contract date for the sale of such property.

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