

# 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 Van Etten

Local Law No. 3 of the year 20 22

A local law to Override the Tax Levy Limit Established in General Municipal Law § 3-c  
(Insert Title)

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

County  City  Town  Village  
(Select one.)

of Van Etten as follows:

## SECTION 1 – TITLE.

This local law shall be known and cited as Local Law No. 3 of 2022 of the Town of Van Etten, Chemung County, New York, "A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-c."

## SECTION 2 – LEGISLATIVE INTENT.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Van Etten pursuant to General Municipal Law § 3-c, and to allow the Town of Van Etten to adopt a town budget for the fiscal year beginning January 1, 2023, and ending December 31, 2023, that requires a real property tax levy in excess of the " tax levy limit " as such term is defined by General Municipal Law § 3-c.

## SECTION 3 – AUTHORITY.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town Board of the Town of Van Etten to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the total voting power of said Town Board.

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

SECTION 4 – TAX LEVY LIMIT OVERRIDE.

The Town Board of the Town of Van Etten is hereby authorized to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

SECTION 5 – SEVERABILITY.

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provision or part hereof shall be deemed invalid all other provisions hereof shall remain valid and enforceable.

SECTION 6 – EFFECTIVE DATE.

This local law shall take effect upon its adoption and filing with the Secretary of State of the State of New York as required 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. 3 of 2022 of the ~~(County)(City)(Town)(Village)~~ of Van Etten was duly passed by the Town Board of the Town of Van Etten on October 13 2022, in accordance with the applicable ~~(Name of Legislative Body)~~ 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.

*Dawn M. Rose*

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

Date:

*October 25, 2022*

(Seal)