

1994-5

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, 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.

County
~~City~~ of Chenango
~~Town~~
~~Village~~

Local Law No. 5 of the year 1994

County
A local law EXTENDING REAL PROPERTY TAX LAW REDEMPTION PERIOD
(Insert Title)

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

County
~~City~~ of Chenango as follows:
~~Town~~
~~Village~~

The Finance Committee offered the following and moved its adoption:

ADOPTED LOCAL LAW #4 OF 1994

A COUNTY LAW EXTENDING REAL PROPERTY TAX
LAW REDEMPTION PERIOD

Be it enacted by the Board of Supervisors of the County of Chenango as follows:

Section 1: INTENT.

1.1 The State of New York by enactment of Chapter 602 of the Laws of 1993 and Chapter 532 of the Laws of 1994, has made major revisions to the laws providing for the collection and enforcement of real property taxes by Counties and other tax enforcement entities.

1.2 Said State legislation provides for limited authority of the County and other tax districts to make an election as to the period or periods of redemption regarding delinquent taxes owing on certain types of real property parcels.

1.3 The County of Chenango hereby determines that the extension of the redemption period to the maximum extent permitted by State law would serve the interests of Chenango County taxpayers.

Section 2: EXTENSION OF REDEMPTION PERIODS.

2.1 The County of Chenango pursuant to Real Property Tax Law, Article 11, Title 2, and Section 1111, subdivision 2 thereof, hereby extends the redemption period for both residential property and farm property to four years after lien

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

(1)

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COUNTY CLERK'S OFFICE
CHENANGO COUNTY, N.Y.

date. The meaning of the terms "residential property" and "farm property" shall be as the same are defined in Real Property Tax Law, Section 1111. Said election shall apply to taxes for the year 1995 and each calendar year thereafter unless this local law is otherwise amended or repealed as provided by law.

2.2 Notwithstanding the provisions of Section 2.1 above, the County of Chenango pursuant to Chapter 532 of the Laws of 1994, Section 8, hereby extends the redemption period for taxes becoming liens in 1995 to four years after the 1995 lien date as to all properties regardless of their type, character, or classification.

2.3 Notwithstanding the provisions of Section 2.1 above, the County of Chenango pursuant to Chapter 532 of the Laws of 1994, Section 8, hereby extends the redemption period for taxes becoming liens in 1996 to three years after the 1996 lien date as to non-farm and non-residential properties.

Section 3: SAVINGS.

3.1 If any part or portion of this law or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provisions or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other properties, persons, or circumstances, and the Chenango County Board of Supervisors hereby declares that it would have enacted this law or the remainder thereof had the invalidity of such provision or application thereof been apparent.

3.2 This local law is intended and shall be liberally construed to effectuate the purpose of extending the redemption periods to the full extent permitted by law. It shall be construed so as not to conflict with a State statute on a subject preempted by State law thereby proscribing local legislation thereon.

3.3 This law shall be effective immediately subject to filing requirements provided by law.

Seconded by Mr. Phelan

Results of a Roll Call vote on the Local Law were: Yes-2,232, No-33, Absent-0

No: Supervisor Brown

The Chairman declared the Local Law duly adopted.

(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. 5 of 19 94 of the (County)(City)(Town)(Village) of Chenango was duly passed by the Board of Supervisors on November 14 19 94, 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 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19 ____, 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 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. 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 _____ 19 ____, 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 19 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19 ____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19 ____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19 ____, 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 chairman 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.)

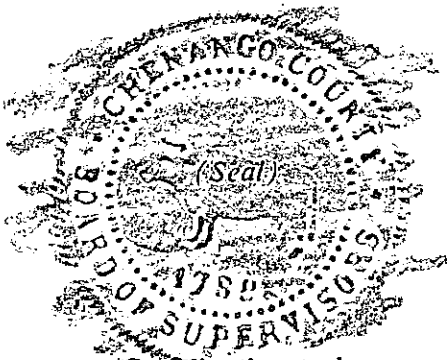
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, 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 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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 of 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.



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

Date: November 18, 1994

(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 Chenango

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.

Chenango County, SS
Recorded on this 18th Day
of November 1994 at 4:07
o'clock P. M., In Liber _____ of
Local Law
at Page 188 and examined
Mary C. Weidman Clerk

Richard W. Besh
Signature
County Attorney
Title
County
~~XXXX~~ of Chenango
~~XXXXX~~
~~XXXXXX~~
Date: November 18, 1994