

ORIGINAL

Local Law Filing

New York State Department of State
162 Washington Avenue, Albany, New York 12231

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.

Town of Russell

Local Law No. 1 of the year 2012

A local law overriding the tax levy limit for the Town of Russell and authorizing the adoption by the Town of Russell for a budget that requires a tax levy that is greater than the tax levy limit.

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

Town of Russell as follows:

Title: This Local Law shall be known as the "Town of Russell Responsible Budgeting Law".

Whereas, the State of New York has passed a property tax cap establishing a limit on the annual growth of property taxes for local governments; and

Whereas, General Municipal Law Section 3-c(5) permits a local government to adopt a budget that requires a tax levy greater than that set by the State; and

Whereas, it is anticipated that in order to have responsible government and finances to retain the necessary services, it would be in the Town of Russell's best interest to enact such Local Law so as to permit, if necessary, to require a tax levy greater than the tax levy limit calculated pursuant to applicable New York State Law.

Therefore, it is hereby resolved that the Town Board of the Town of Russell is hereby authorized to exceed the tax levy limit imposed by the State of New York for the Town of Russell upon a vote of sixty percent (60%) of the total voting power of the Town Board, and authorizes the Town, after completing all required procedures for the adoption of a budget, to adopt a budget that requires a tax levy that is greater than the tax levy limit calculated pursuant to Section 3-c of the General Municipal Law.

Effective Date: This Local Law shall be effective upon the date of filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule 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. 1 of 2012 of the Town of Russell was duly passed by the Town Board on September 12 2012, 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
(Name of Legislative Body)
disapproved)(repassed after disapproval) by the _____ and
(Elective Chief Executive Officer*)
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
(Name of Legislative Body)
disapproved)(repassed after disapproval) by the _____ on
(Elective Chief Executive Officer*)
_____, 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
(Name of Legislative Body)
disapproved)(repassed after disapproval) by the _____ on
(Elective Chief Executive Officer*)
_____, 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 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 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 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.

(Seal)


Clerk of the County legislative body, City, Town or Village
Clerk or officer designated by local legislative body.
Teresa L. Eells
Date: September 12, 2012

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

STATE OF NEW YORK)
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COUNTY OF ST. LAWRENCE)

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.

Henry J. Leader, Esq.
Town Attorney
Town of Russell
Date: _____