

(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 Town Of Russell
Town
Village

Local Law No. 1 of the year 2006

A local law To allow enrolled volunteer firefighters and volunteer ambulance workers to be eligible for a Real Property Tax Exemption under RPTL§ 466-f

Be It enacted by the Town Board of the

County
City of Town of Russell as follows:
Town
Village

ADOPTING PROPOSED LOCAL LAW B (NO: 1) FOR THE YEAR 2006, EXEMPTIONS FOR CERTAIN MEMBERS OF VOLUNTEER FIRE COMPANIES AND AMBULANCE SERVICED IN ST. LAWRENCE COUNTY

LOCAL LAW B (NO.1) FOR THE YEAR 2006, TO ALLOW ENROLLED VOLUNTEER FIREFIGHTERS AND AMBUANCE WORKERS TO BE ELIGIBLE FOR A REAL PROPERTY TAX EXEMPTION UNDER RPTL 499-f

BE IT ENACTED by the Town Board of the Town of Russell as follows:

Section 1. The Town Board of the Town of Russell intent.
The Town Board of the Town of Russell, State of New York, and County of St. Lawrence recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well being of our communities. The Town Board Of the Town of Russell, State of New York and County of St. Lawrence hereby Finds that it is in the best social and economic interests of the Town of Russell to Encourage volunteerism for said purposes. To that end, by providing the following exemption it is the intent to so encourage volunteerism for our various fire and ambulance companies.

Section 2. Exemptions for certain volunteer firefighters and ambulance workers.
(a) Real property owned by an enrolled member of an incorporated volunteer fire Company, fire department or incorporated voluntary ambulance service or such Enrolled member and spouse residing in St. Lawrence County shall be exempt Of ten percent (10%) of the assessed value of such property for county purposes, Exclusive of special assessments, provided however, that such exemption shall In no event exceed \$3,000.00 multiplied by the latest state equalization rate for the assessing unit in which such real property is located.

- (b) Such exemption shall not be granted to an enrolled member of an incorporated Volunteer fire company, fire department or incorporated voluntary ambulance Service residing in such county unless:
- (i) The applicant resides in the city, town or village which is served by Such incorporated volunteer fire company or fire department or Incorporated voluntary ambulance service;
 - (ii) The property is the primary residence of the applicant;
 - (iii) The property is used exclusively for residential purposes; provided However, that in the event any portion of such property is not used Exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and
 - (iv) The incorporated volunteer fire company or fire department and Incorporated voluntary ambulance service has submitted to the St. Lawrence County Director of Emergency Services a complete list of enrolled members, with their respective dates of service for such incorporated voluntary fire company, or fire department, or incorporated voluntary ambulance service. The St. Lawrence County Director of Emergency Services shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption.
 - (v) The applicant must be certified by the fire company as a member for At least the last 5 years.
- (c) Application for such exemption shall be filed annually with the assessor on or Before the taxable status date on a form as prescribed by the state board.
- (d) No applicant who is a volunteer firefighter or volunteer ambulance worker who By reason of such status is receiving any benefit under the provisions of this Article on the effective date of this section shall suffer any diminution of such benefit because of the provisions of this section.

Section 3: **Effective date.** This act shall take effect immediately and shall apply to real property Having a taxable status date on or after the 28th day of February 2006 next succeeding The date on which this act shall have become a 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. _____ of _____ 2006 of the (County)(City)(Town)(Village) of Russell was duly passed by the Town Board on February 28, 2006, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(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.

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 approved)(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.

*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 _____ 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 _____, 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 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 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.

Ceresa L. Ellis

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

February 28, 2006

Date: _____

(Seal)

(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 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.

Signature _____

Title _____

~~County~~

~~City~~

Town

~~Village~~

of Russell

Date: _____

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK
COUNTY OF JEFFERSON

WATERTOWN DAILY TIMES

TESS EELLS
TOWN OF RUSSELL
PO BOX 628
RUSSELL NY 13684-0628

REFERENCE: 100748
20024881 LEGAL NOTICE The Tow

Jan M. Hardter, of the City of Watertown, Jefferson County, New York, being duly sworn, says that she is the Classified Supervisor of the Johnson Newspaper Corp., a corporation duly organized and existing under the laws of the State of New York, and having its principal place of business in the City of Watertown, New York, and that said corporation is the publisher of the WATERTOWN DAILY TIMES, a Newspaper published in the City of Watertown, Jefferson County, and State of New York, and that a Notice, of which the annexed is a printed copy, has been published regularly in the said Newspaper.

Jan Hardter

JAN M. HARDTER, LEGAL REPRESENTATIVE

LEGAL NOTICE
The Town Board of the Town of Russell will be holding a Public Hearing at 7:00 pm on February 15, 2006 at the Russell Town Hall on the Local Law to allow enrolled volunteer firefighters and volunteer ambulance workers to be eligible for a Real Property Tax Exemption. Any interested parties are welcome to attend. The regular meeting will follow the public hearing.

PUBLISHED ON: 02/10 02/11

TOTAL COST: 13.26 AD SPACE: 13 LINE
FILED ON: 02/13/06

Sworn to before me this

15th day of February, 2006

Paula K DeLong

PAULA K. DELONG
Notary Public, State of New York
No. 01DE6091238
Qualified in Lewis County
Commission Expires April 28, 2007



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

GEORGE E. PATAKI
GOVERNOR

March 16, 2006

Cappello Linden & Ladouceur
Attorneys at Law
76 Market Street
Po Box 5153
Potsdam, NY 13676

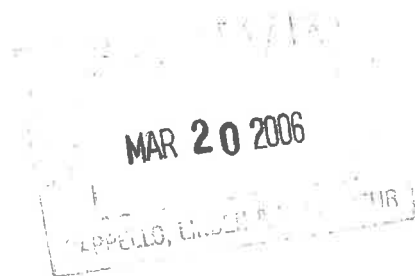
RE: Town of Russell, Local Law 1, 2006, filed on 3/9/2006

To Whom It May Concern:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,
Linda Lasch
Principal Clerk
State Records & Law Bureau
(518) 474-2755

LL:cb



Cappello Linden & Ladouceur

Attorneys at Law

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Post Office Box 5153

Potsdam, New York 13676

*Francis P. Cappello
Roger B. Linden
Michelle H. Ladouceur*

*Area Code 315
Telephone 265-2747*

March 21, 2006

Ms. Tess Eels
Town Clerk
Town of Russell
P.O. Box 628
Russell, New York 13684

RE: Local Law No. 1 for the year 2006

Dear Donna:

Enclosed herewith please find the original filing receipt from the Secretary of State's office reflecting the filing of Local Law No.1 for 2006 with their offices on March 9, 2006.

This is a vitally important document and should be kept in your archives together with all other information concerning and relating to this local law.

Very truly yours,

CAPPELLO LINDEN & LADOUCEUR


Roger B. Linden

RBL:smb

Enclosure