

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 ERIE
~~Town~~
~~Village~~

Local Law No. 3 of the year 19 94..

A local law in relation to the collection of real property taxes pursuant to the Erie
(Insert Title) county tax act.

Be it enacted by the LEGISLATURE of the
(Name of Legislative Body)

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

SECTION 1. Legislative Findings.

Erie county has collected real property taxes pursuant to special law, the Erie county tax act since 1942. The Erie county tax act has been amended at the request of the Erie county legislature on several occasions to meet the tax collection requirements of Erie county and its taxpayers. The legislature finds that the partial payment of current taxes provision found in the Erie county tax act is unique and not duplicated in any other statute governing the collection of real property taxes in the state of New York. It is further found that the provisions for collection and enforcement found in the real property tax law, as amended by Chapter 602 of the laws of 1993, do not represent a superior system to the collection and enforcement system found in the Erie county tax act. It is in the interest of Erie county and the taxpayers of Erie county to continue collecting real property taxes pursuant to the Erie county tax act.

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

SECTION 2. Declaration of Purpose.

It is the purpose of this local law to inform the New York state board of equalization and assessment that Erie county intends to continue the collection and enforcement of real property taxes pursuant to the Erie county tax act. This local law is enacted to comply with and pursuant to Section 6, subsection (a), of Chapter 602 of the laws of 1993.

SECTION 3. Collection and Enforcement of Real Property Taxes.

Erie county shall continue to collect and enforce the collection of real property taxes pursuant to the provisions of Article XI of Chapter 812 of the laws of 1942, as amended, which is known as the Erie county tax act.

SECTION 4. Separability.

If any clause, sentence, paragraph or section of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof directly involved in the proceeding in which such adjudication shall have been rendered.

SECTION 5. Effective date.

This local law shall take effect immediately and shall be filed with the New York state board of equalization and assessment on or before August 1, 1994.

CHARLES M. SWANICK

(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 19 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, 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. 3 of 19 94 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Erie was duly passed by the Erie County Legislature on April 14, 1994, and was (approved)(~~not disapproved~~)(~~repassed after disapproval~~) by the ERIE COUNTY EXECUTIVE and was deemed duly adopted on June 1, 1994,
(Elective Chief Executive Officer*)
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 disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was
(Elective Chief Executive Officer*)
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 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.~~

*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.)~~

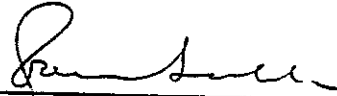
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such 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 2, above.



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

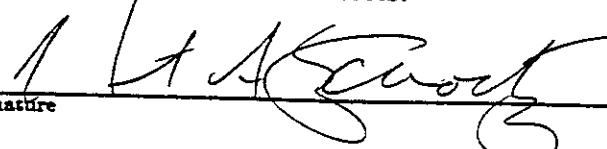
(Seal)

Date: 6/2/94

(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 ERIE

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

ERIE COUNTY ATTORNEY

Title

County

~~City~~

~~Town~~

~~Village~~

of

ERIE

Date: 6/2/94