



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

JEREMY C. TOTH  
ACTING COUNTY ATTORNEY

KRISTEN M. WALDER  
SECOND ASSISTANT COUNTY ATTORNEY

DEPARTMENT OF LAW

July 15, 2022

**Via Hand-Delivery**

Hon. Robert Graber  
Erie County Legislature  
92 Franklin Street, 4th Floor  
Buffalo, New York 14202

**Re: Local Law No. 3-2022 A Local Law amendment to Local Law 3-1997, as amended by Local Law 5 (1997), increasing the threshold of property tax exemptions for veterans of the United States Armed Services  
Our File No.: 22-20220006**

Dear Hon. Robert Graber:

Enclosed please find an original of the above-referenced Local Law for filing in your office.

Thank you.

Very truly yours,

JEREMY C. TOTH  
Acting County Attorney

By: s/ Gregory P. Kammer  
Gregory P. Kammer  
Assistant County Attorney

GPK/mw  
Enclosure

## 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 Erie

Local Law No. 3 of the year 2022

A local law amendment to Local Law 3-1997, as amended by Local Law 5 (1997), increasing the  
(Insert Title)  
threshold of property tax exemptions for veterans of the United States Armed Services.

Be it enacted by the Erie County Legislature of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Erie

as follows:

### SECTION 1: Legislative Intent

Erie County last increased the exemptions cap on the value of real property owned by veterans through Local Law – 5 (1997). In the ensuing twenty-four years, inflation and rising property values have diminished the utility of this exemption as it was originally intended. It is a finding of this body, which has been supported by past practices, that veterans are deserving of these sorts of exemptions and as such we seek to raise the exemptions from their current rates to that listed in Section 2 of this law.

### SECTION 2: Amendment to Erie County Local Law 3 (1997), as amended by Local Law 5 (1997)

Pursuant to paragraph (d)(ii) of subdivision two of section four hundred fifty-eight-a of the New York State Real Property Tax law, as amended, the maximum exemption from taxation of qualified real property under real property tax exemptions allowable to qualified veterans in Erie County under paragraphs (a), (b), and (c) of subdivision two of section four hundred fifty-eight-a of the real property tax law shall be: with respect to paragraph (a) of said subdivision, thirty thousand dollars; with respect to paragraph (b) of said subdivision, twenty thousand dollars; and with respect to paragraph (c) of said subdivision, one-hundred thousand dollars.

### SECTION 3. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

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

**SECTION 4. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

**Sponsors:** Legislators Todaro, Greene, Lorigo, Mills, Baskin, Meyers, Johnson, Chimera, Bargnesi, Vinal, and Gilmour

(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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, 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. <sup>3</sup> \_\_\_\_\_ of 20<sup>22</sup>\_\_\_\_ of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on June 30 20<sup>22</sup>\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the Erie County Executive and was deemed duly adopted on July 14 20<sup>22</sup>\_\_\_\_, 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) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 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 approved) (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 <sup>2</sup>\_\_\_\_\_ above.

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

Date: 7/15/22

(Seal)

A Public Hearing was held on the foregoing **Local Law Intro. No. 2-1-2022** on July 11, 2022 due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 14 day of July, 2022.



Mark C. Poloncarz

A Public Hearing was held on the foregoing **Local Law Intro. No. 2-1-2022** on July 11, 2022 due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this \_\_\_\_ day of July, 2022.

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Mark C. Poloncarz