

## 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

FILED  
STATE RECORDS

DEC 07 2017

Local Law No. 5 of the year 2017 DEPARTMENT OF STATE

A local law amending Local Law 3 of 2008, which affords real property  
(Insert Title)  
tax breaks to veterans of the Cold War

Be it enacted by the \_\_\_\_\_ of the \_\_\_\_\_  
(Name of Legislative Body)

County  City  Town  Village  
(Select one)  
of Erie

as follows:

### SECTION 1. Legislative Intent

It is the intent of this body to extend the Cold War Veteran's real property tax exemption from the current ten year expiration date pursuant to recently amended §458-b of the New York State Real Property Tax Law. The New York State Legislature and Governor recently amended the Real Property Tax law to allow veterans of the Cold War to claim a 10% exemption on certain qualifying real property for as long as the veteran owns it. This is an increase from the previous version of the law that allowed the exemption to stand for ten years from the date of purchase.

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

## **SECTION 2. Amend Local Law 3 (2008)**

Amend Section 4(C) of Local Law 3 (2008) to read as follows:

The exemption provided by subdivision A of section 3 of this local law shall be granted to qualifying owners of qualifying real property for as long as they remain qualifying owners pursuant to New York State Real Property Tax Law §458.

## **SECTION 3. 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.

## **SECTION 4. Effective Date**

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

**Sponsor:** Legislator Joseph C. Lorigo

**Co-Sponsors:** Chairman John J. Mills, Legislator Ted B. Morton and Legislator Edward A. Rath III

**REFERENCE:** **LOCAL LAW INTRO. 18-1 (2017)**

(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 (Name of Legislative Body) 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. 5 of 20 17 of the (County) \_\_\_\_\_ of Erie \_\_\_\_\_ was duly passed by the Erie County Legislature \_\_\_\_\_ on November 2 20 17, and was (approved)(not approved) (Name of Legislative Body) Erie County Executive (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on November 30, 20 17, 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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. (Elective Chief Executive Officer\*)

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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local (Elective Chief Executive Officer\*) 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.

8. (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.

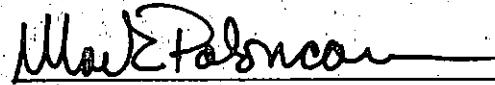
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)  
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a  
correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in  
paragraph \_\_\_\_\_ 2 \_\_\_\_\_ above.

*Karen M. McCarthy*  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

Date: *Dec 4 2017*

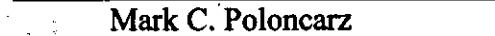
(Seal)

A Public Hearing was held on the foregoing Local Law Intro. No. 18-1 (2017) on November 17, 2017 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 20 day of November, 2017.



Mark C. Poloncarz

A Public Hearing was held on the foregoing Local Law Intro. No. 18-1 2017 on November 17, 2017 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       , 2017.



Mark C. Poloncarz