

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 of Carlisle
☒ Town
☐ Village

Local Law No. 1 of the year 20 21

A local law Opting Out of Real Property Tax Law
(Insert Title) Section 487

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

- ☐ County
☐ City of Carlisle as follows:
☒ Town
☐ Village

(Delete this line of text and enter text of local law here)

See attached pages of Local Law 1-2021

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

(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 20 21 of the (County)(City)(Town)(Village) of Carlisle was duly passed by the Carlisle Town Board on January 6 20 21, 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. _____ 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 _____ and was deemed duly adopted (Elective Chief Executive Officer*) 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 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 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.)

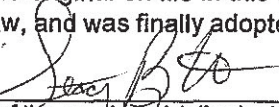
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 _____, above.



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

(Seal)

Date: _____ 1/6/2021 _____

(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 _____

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 of _____
Town _____
Village _____

Date: _____

-Town of Carlisle

Local Law #1 of the Year 2021

Opting Out of Real Property Tax Law Section 487

A local law pursuant to NYS Real Property Tax Law Section 487(8) (a) Opting Out of NYS Real Property Tax Law Section 487 exemptions for Real Property which includes any Solar Energy System, Wind Energy System, Farm to Waste Energy System Projects, micro hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system or any other renewable energy system.

Section I.

The purpose of this Town of Carlisle Local Law 1-2021 is to opt out of real property tax exemption provided by Real Property Tax Law ("RPTL") Section 487 in order to capture tax revenues from the development of solar energy systems, wind energy systems, farm waste energy systems, micro hydroelectric energy systems, fuel cell electric generating systems, micro combined heat and power generating equipment systems, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating systems, or any other renewable energy system. By opting out, these types of facilities will no longer be exempt from real property taxation, will be placed as taxable on the assessment rolls of the Town, will generate tax revenue, and be treated equally with other non-exempt commercial properties within the Town.

Section II.

No exemption under RPTL Section 487 shall be applicable within the Town of Carlisle's jurisdiction with respect to solar energy systems, wind energy systems and farm waste energy systems, micro hydroelectric energy systems, fuel cell electric generating systems, micro combined heat and power generating equipment systems, electric energy storage equipment or electric energy storage systems or fuel-flexible linear generator electric generating systems or any other renewable energy system.

Section III.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections, as declared by the valid judgement of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force effect.

Section IV.

This local law is enacted pursuant to the authority granted by RPTL Section 487(8), as well as the NYS Municipal Home Rule Law ("MHRL"), with the procedural provisions of the MHRL controlling. To the extent that this local law is inconsistent with RPTL Section 487, this local law shall supersede those laws.

Section V.

Any and all prior Resolutions, Local Laws, rules and regulations of the Town which may be inconsistent or conflict with the provisions of this Local Law are hereby repealed to the extent of such conflict or inconsistency.

Section VI.

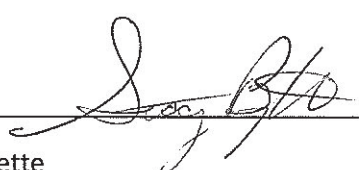
This law shall be effective immediately upon filing with the NYS Secretary of State.

Section VII.

In accordance with RPTL Section 487(8) (a), the Town Clerk shall file this local law with the Commissioner of the New York State Department of Tax and Finance and with the President of the New York State Energy Research and Development Authority.

Enacted on September 6, 2017 by the Town Board of the Town of Carlisle.

(SEAL)



Stacy Bruyette

Carlisle Town Clerk