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ELDERLAW

ATTORNEYS
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(1936-2006)
DAVID C. SCHUBEL
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March 3, 2020

NYSERDA
17 Columbia Circle
Albany, New York 12203

Re: Local Law No. 2 of 2020
Town of Elba

Dear Sir or Madam:

Enclosed please find a certified copy of the above-referenced Local Law for the year 2020 for filing in your office.

Very truly yours,

David C. Schubel
Town Attorney

DCStrg
Enc.

(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 Elba, Genesee County, New York
Town
Village

Local Law No. 2 of the year 2020.

A local law Pursuant to Section 487(8) Of The Real Property Tax Law To Eliminate A Tax Exemption
For Certain Enumerated Energy Systems
(Insert Title)

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

County
City of Elba, Genesee County, New York as follows:
Town
Village

Section 1.

Pursuant to Section 487(8)(a) of the Real Property Tax Law, no tax exemption under section 487(2) of the Real Property Tax Law shall be applicable to Town of Elba real property taxes, with respect to any energy systems as currently defined anywhere within Section 487 of the Real Property tax Law, and any amendments thereto, which begins construction subsequent to the effective date of Local Law.

Section 2.

This Local Law shall take effect upon filing with the Secretary of State, the New York State Department of Taxation and Finance, and the New York State Energy Research and Development & Authority (NYSERDA).

Section 3. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in it separation to the clause, sentence, paragraph, subdivision, or part of

this Local Law or in its application to the person, individual, firm or corporation 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.

(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. 2 of 2020, of the (County) (City) (Town) (Village) of Elba, New York was duly passed by the Town Board on February 13, 2020, 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 2020 of the (County) (City) (Town) (Village) _____ was duly passed by the _____ on _____ 2020, and was (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 2020, 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 2020 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 2020, and was by the _____ on _____ 2020. 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 _____ 2020, 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 2020 of the (County) (City) (Town) (Village) of _____ was duly passed by the Board of Trustees (Name of Legislative Body) on _____ 2020, and was (approved) (~~not disapproved~~) (~~repassed after disapproval~~) by the _____ on _____ 2020. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2020, 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 2020 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 _____ 2020, became operative.

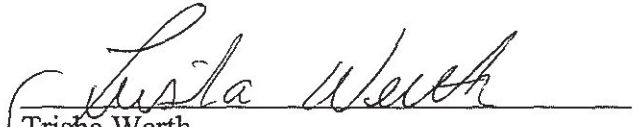
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2020 of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 2020, 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 1, above.

(SEAL)


Trisha Werth
Town Clerk, Town of Elba

Date: FEBRUARY 28, 2020