



TOWN OF ELMIRA

ESTABLISHED 1792

1255 WEST WATER STREET
ELMIRA NEW YORK 14905

Phone: (607) 734-2031

Fax 607-734-4089

STATE OF NEW YORK)
COUNTY OF CHEMUNG) SS:
TOWN OF ELMIRA)

THIS IS TO CERTIFY, that I the undersigned Clerk of the Town of Elmira, State of New York, County of Chemung, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Town of Elmira Town Board on the 17th day of October, 2016 a majority of all the members elected to the Town Board voting in favor thereof, and that the same is a correct and true transcript of such resolution and of the whole thereof.

IN WITNESS WHEREOF, I have here unto set my hand and the official seal of the Town of Elmira, on this 17th day of October, 2016.

Jo Ann Sherwood,
Town Clerk, Town of Elmira



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Resolution #124-16

Adopt Local #3-2016 Opt Out of Section 487 of the NYS Real Property Tax Law

By Mr. Bush

Seconded by Mr. Allison

Whereas a resolution was duly adopted by the Town Board of the Town of Elmira for a public hearing to be held by said Board on October 17, 2016 at 7:00 P.M. at 1255 West Water Street, Elmira, NY to hear all interested parties on proposed Local Law 3-2016 to Opt Out of Section 487 of the NYS Real Property Tax Law; and

Whereas a notice of said public hearing was duly advertised in the Star Gazette, the official newspaper of the Town of Elmira on October 3, 2016; and

Whereas said public hearing was duly held on October 17, 2016 at 7:00 P.M. at 1255 West Water Street, Elmira, NY and all parties in attendance were permitted an opportunity to speak on behalf or in opposition of said proposed Local Law, or any part thereof; and

Whereas the Town Board of the Town of Elmira after due deliberation finds it in the best interest of the Town to adopt the said Local Law;

Now Therefore Be It Resolved, that the Town Board of the Town of Elmira hereby adopts Local Law 3-2016 Opt Out of Section 487 of the NYS Real Property Tax Law; and

Be It Further Resolved, that the Town Clerk be and is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Elmira and to give due notice of the adoption of said Local Law to the Secretary of the State of New York.

Section 1. Short Title.

This Local Law Shall be referred to as "Opt-Out of Real Property Tax Law §487"

Section 2. Legislative Intent.

It is the intent of this Local Law to provide NO exemption from taxation as authorized in Real Property Tax Law §487.

Section 3. Legislative Authority.

This Local Law was enacted pursuant to subdivision 8 of §487 of the Real Property Tax Law of the State of New York, as well as the Municipal Home Rule Law (MHRL), with the procedural provisions of the MHRL controlling.

Section 4. Opt-Out of Real Property Tax Law §487.

The Town Board of the Town of Elmira, shall not permit any exemption from taxation within its jurisdiction pursuant to §487 of the Real Property Tax Law of the State of New York with respect to any solar energy system constructed subsequent to the effective date of this Local Law.

Aye- Bush, Allison, Milliken, Sullivan

No- None