

LOCAL LAW FILING

TOWN OF GUILDERLAND

LOCAL LAW NO. 1 OF 2018

LOCAL LAW Solar, Wind and Farm Waste Energy System.

Be it enacted by the Town Board of the Town of Guilderland as follows:

Local Law No. 1, 2018 to amend Local Law No. 4 of 2017 by extending the opt-out exemption from property tax for solar, wind and farm waste energy systems to also include micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, electric energy storage equipment, and electric storage systems as recommend by the Assessor

This local law shall take effect immediately.

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 Guilderland

Local Law No. 1 of the year 2018

A local law (Solar, Wind, Farm Waste Energy Systems, Micro-hydroelectric Energy system,
(Insert Title)
Fuel Cell Electric Generating System, Micro-combined Heat and Power Generating
Equipment System, or Electric Energy Storage Equipment or Electric Energy
Storage System Opt Out of Tax Exemption)

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

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Guilderland as follows:

See Attached

(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 2018 of the (County)(City)(Town)(Village) of Guilderland was duly passed by the Town Board on February 6 2018, 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*)

* 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.)

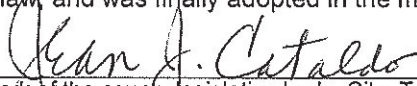
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

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

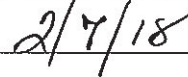
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, 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

Date: _____



(Seal)

Town of Guilderland
Local Law No. 1 of 2018

**(Solar, Wind, Farm Waste Energy Systems, Micro-hydroelectric Energy system,
Fuel Cell Electric Generating System, Micro-combined Heat and Power Generating
Equipment System, or Electric Energy Storage Equipment or Electric Energy
Storage System Opt Out of Tax Exemption)**

Be it enacted by the Town Board of the Town of Guilderland as follows:

SECTION 1. ENACTMENT.

This Local Law amends Local Law No. 4 of 2017, which opted out Solar, Wind and Farm Waste Energy Systems from property tax exemption by also opting out Micro-hydroelectric Energy system, Fuel Cell Electric Generating System, Micro-combined Heat and Power Generating Equipment System, or Electric Energy Storage Equipment or Electric Energy Storage System which were added to NYS Real Property Tax Law §487 by Chapter 336 of the New York State Laws of 2017.

SECTION 2. DEFINITIONS.

This Local Law uses the definitions set forth in NYS Real Property Tax Law §487 and as amended by Chapter 336 of the New York State Laws of 2017.

SECTION 3. ELIMINATION OF EXEMPTION ON ADDITIONAL ENERGY SOURCES.

As provided by NYS Real Property Tax Law §487(8)(a) as amended by Chapter 336 of the New York State Laws of 2017, in addition to Solar, Wind and Farm Waste Energy Systems, no exemption shall be applicable within the Town of Guilderland with respect to Micro-hydroelectric Energy system, Fuel Cell Electric Generating System, Micro-combined Heat and Power Generating Equipment System, or Electric Energy Storage Equipment or Electric Energy Storage System which began construction as of the effective date of this Local Law.

SECTION 4. SEPARABILITY.

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Local Law or their application to other persons or circumstances.

SECTION 5. REPEALER.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the NYS Secretary of State in accordance with Municipal Home Rule Law §27.

SECTION 7. FILING.

A copy of this Local Law shall be filed with the Commissioner of the NYS Department of Taxation & Finance and the President of the NYS Energy Research and Development Authority.