

LOCAL LAW FILING

NYS Department of State
Division of Corporations, State Records
and Uniform Commercial Code
One Commerce Plaza, 99 Washington Street,
Albany, NY 12231.

(Use this form to file a local law with the Secretary of State)

Town of Herkimer

Local Law No. 1 of the year 2016

A local law to **Opt-out of Section 487 of the New York State Real Property Tax Law.**

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Be it enacted by the Town Board of the Town of Herkimer, as follows:

Section 1: Legislative Intent

It is the intent of this local law to provide no exemption from taxation as authorized in Real Property Tax Law Section 487.

Section 2: Authority

This local law is adopted pursuant to paragraph 8 of Real Property Tax Law Section 487, which expressly allows the town board to opt-out of the exemption.

Section 3: No Exemption for Solar or Wind Energy Equipment Systems

There shall be no exemption for real property taxes for solar or wind energy systems as described in Section 487 of the New York State Real Property Tax Law within the Town of Herkimer.

Section 4: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged 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 its operation to the clause, sentence, paragraph, section 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 5: Effective Date

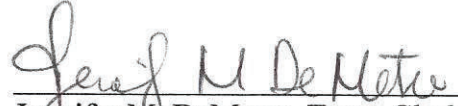
This local law shall take effect immediately.

1. I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2016 of the Town of Herkimer, was duly passed by the Town Board on March 7th, 2016 in accordance with the applicable provisions of law.
2. 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.

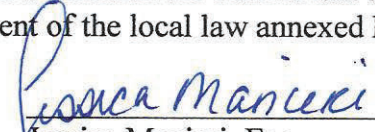
(SEAL)

STATE OF NEW YORK
COUNTY OF HERKIMER

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.



Jennifer M. DeMetro, Town Clerk
Dated: 3/8/16



Jessica Manieri, Esq.
Town Attorney
Town of Herkimer
Dated: 3/8/16