

TOWN OF OTTO

Local Law 1 OF 2021

Opt Out of Real Property Tax Law Section 487

A LOCAL LAW ALLOWING THE TOWN OF OTTO TO CAPTURE TAX REVENUE FROM THE DEVELOPEMENT OF SOLAR ENERGY FACILITIES

BE IT ENACTED by the Town Board of the Town of Otto of the County of Cattaraugus as follows:

Section 1

The purpose of this local law is to opt out of Real Property Tax Law Section 487 to capture tax revenues from the development of solar energy facilities and to ensure that such facilities are treated equally with other commercial properties within the Town of Otto.

Section 2

- A. No exemption under Real Property Tax Law Section 487 shall be applicable to Town of Otto taxes with respect to any solar or wind energy system or farm waste energy system.
- B. No exemption Real Property Tax Law Section 487 shall be applicable to Town of Otto taxes with respect to any micro-hydroelectric energy system, fuel electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system.

Section 3

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phase of the aforementioned sections, as declared by valid judgment 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 phase, which shall remain in full force and effect.

Section 4

To the extent that this local law is inconsistent with Real Property Tax Law Section 487 it shall supersede those laws.

Section 5

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and regulations of the Town of Otto which may be inconsistent or conflict with the provisions of this law are hereby repealed to the extent of such conflict of inconsistency.

Section 6

- A. This law shall be effective immediately upon filing with the Secretary of State.
- B. In accordance with RPTL 487 (8) a. the Town of Otto shall file this local law with the Commissioner of New York State Department of Tax and Finance and with the president of the New York State Energy Research and Development Authority.

STATE OF NEW YORK SS:
COUNTY OF CATTARAUGUS

I, Trisha A. Priest, Clerk of the Town of Otto, New York, do hereby certify that I have compared the forgoing copy of this Local Law 1-2021 with the original on file in my office, and that the same is a true and correct transcript of said original Local Law and of the whole thereof, as duly adopted by said Otto Town Board at a meeting duly called and held at the Otto town Hall on January 21, 2021 by the required and necessary vote of the members to approve the Local Law.

WITNESS My hand and the Official Seal of the Town of Otto, New York, this 21st day of January 2021.

Trisha A. Priest

Otto Town Clerk