

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

of Schroeppel

Town

Village

Local Law No. 2 of the year 2020

A local law providing that the Town opt-out of real property tax exemptions provided for under Real Property Tax Law §487.

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

County

City

of Schroeppel

as follows:

Town

Village

SECTION 1. Short Title.

This Local Law shall hereafter be known as the “Town of Schroepel Solar, Wind and Farm Waste Energy Systems Real Property Tax Exemption Opting Out Law of 2020.”

SECTION 2. Legislative Intent.

Pursuant to Real Property Tax Law (“RPTL”) §487. the Town Board of the Town of Schroepel (“Town Board”) hereby declares its intention to opt out of solar, wind and farm energy systems real property tax exemptions provided for under RPTL §487. This local law is enacted to extend the eligibility for those certain real property tax exemptions available to solar, wind and farm energy systems to include micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, and electric energy storage equipment and systems.

SECTION 3. Legislative Authority.

This Local Law is enacted pursuant to subdivision 8 of § 487 of the Real Property Tax Law of the State of New York (as amended and effective January 1, 2019, as well as the Municipal Home Rule Law ("MHRL"), with the procedural provisions of the MHRL controlling.

SECTION 4. Provision.

The Town Board of the Town of Schroepfel, shall not permit any exemption within its jurisdiction pursuant to §487 of the Real Property Tax Law of the State of New York with respect to any solar, wind or farm waste energy systems and micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, and electric energy storage equipment and systems, constructed subsequent to the effective date of the Local Law

SECTION 5. Severability.

If any clause, sentence, paragraph, subdivision, section or part of the local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application directly involved in the controversy in which such judgement shall have been rendered and shall not affect or impair the validity of the remainder of the local law or the application thereof to other persons or circumstances. Further, in adjusting such invalid, illegal or unconstitutional provision, the court shall attempt to modify same to a provision which is not valid, illegal, or unconstitutional and which best achieves the intent of the invalid provision.

SECTION 6. Effective Date.

This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York, subsequent to having been duly adopted by the Town Board of the Town of Schroepfel.

(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 2020 of the (County)(City)(Town)(Village) of Schroeppel was duly passed by the Town Board on November 19, 2020, in accordance with the (Name of Legislative body) 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 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____. Such (Elective Chief Executive Officer*) 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 (Elective Chief Executive Officer*) local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provision 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 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 of 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 1, above.

Darlene M. Owens
Clerk of the county legislative body, City, Town, or Village Clerk
or officer designated by local legislative body
DARLENE M. OWENS, Town Clerk

(Seal)

Date: November, 2020

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF OSWEGO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Kevin C. Caraccioli
Signature **KEVIN C. CARACCIOLI**

TOWN ATTORNEY
Title

Town of Schroepfel

Date: November, 2020

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

December 4, 2020

Kevin C Caraccioli
Caraccioli Law
175 East Seventh Street
Oswego NY 13126

RE: Town of Schroepfel, Local Law 2 2020, filed on December 2 2020

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492



**Department
of State**

Real Property Tax Law Section 487— Exemption from taxation for certain energy systems

Under Section 487 of New York State Real Property Tax [Law](#) (RPTL), taxing jurisdictions are required to file copies of local laws and resolutions pertaining to the energy system exemption with the Department of Taxation and Finance and the New York State Energy Research and Development Authority (NYSERDA). NYSERDA provides this portal for easy digital filing of these local laws and resolutions.

NYSERDA notes that these local laws and resolutions are adopted and rescinded by local taxing jurisdictions, not NYSERDA or any other agency or department of New York State. Changes may be made periodically to the local laws and resolutions. Therefore, unless a copy of the relevant local law or resolution is filed by the taxing jurisdiction, NYSERDA shall not be aware of such changes.

NOTE: This form does not save work as you go. If you are unable to complete it in one session, go to the bottom of the Form, click Save, then enter your email address to receive a copy of your submission link. Use the link to return and complete the Form.

When you complete and submit the form, you will receive a confirmation and a tracking number on your screen to print or save. Refer to this tracking number to check on the status of your request.

If you have any questions, contact NYSERDA's Records Management Officer at RMO@nyserda.ny.gov.

All fields marked with * are required and must be filled.

Jurisdiction Name	Town of Schroepfel
Jurisdiction Type	Town
County	Oswego
Address	69, County Route 57A Phoenix, New York, 13135
First and Last Name	JoAnn Nazarian
Title	Town Supervisor
Email	jnazarian@townofschroepfel.com
Phone Number	(315) 695-4473

Uploads

Local law or resolution attachment

Schroeppel Local Law 2 of 2020.pdf

Type of Filing

Opt-out

Tracking Number

RPTL487_00000000392