

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
DEC 19 2005

~~County~~

~~City~~

Town

~~Village~~

of Marcy MISCELLANEOUS
& STATE RECORDS

Local Law No. One of the year 2005

A local law providing a Tax Exemption on Real Property Owned by an Enrolled Volunteer
(Insert Title) Fire Fighter or Volunteer Ambulance Worker Residing in the
Town of Marcy

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

~~County~~

~~City~~

Town

~~Village~~

of Marcy as follows:

See Attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

LOCAL LAW NO. ONE FOR THE YEAR 2005 ENTITLED

A LOCAL LAW PROVIDING A TAX EXEMPTION ON REAL PROPERTY OWNED BY AN ENROLLED VOLUNTEER FIRE FIGHTER OR VOLUNTEER AMBULANCE WORKER RESIDING IN THE TOWN OF MARCY

BE IT ENACTED by the Board of the Town of Marcy, New York as follows:

INTENT: *The Town recognizes the role of the volunteer firefighter and volunteer ambulance worker in assisting and securing the safety and well being of our community. The Town of Marcy hereby finds that it is in the best social and economic interest of the Town to encourage volunteerism in firefighting and ambulance services and, by enacting the following tax exemption, it is the Town's intent to encourage such volunteerism in our various local fire and ambulance companies.*

1. Exemptions for Certain Volunteer Firefighters and Ambulance Workers:
 - a. Real Property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service or such enrolled member and spouse residing in the Town of Marcy shall be entitled to a real property tax exemption to the extent of ten per cent of the assessed value of such real property for Town tax purposes only, exclusive of special assessments, provided, however, that such exemption shall, under no circumstances, exceed \$3,000. multiplied by the latest State equalization rate for the assessing unit in which such property is located.
 - b. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service in the Town of Marcy unless:
 - i. the applicant for such exemption resides in the Town of Marcy and serves with such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service.

- ii. the property on which the exemption is claimed is the primary residence of the applicant.
 - iii. the property is used exclusively for the applicant's residential purposes, provided however, that, in the event any portion of such property is not used exclusively as the applicant's residence but is used for other purposes, such portion not used as residence shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided for in this local law.
 - iv. The applicant has completed five years of active service with an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service and the applicant otherwise would be eligible for a service award program using the criteria for such service award programs set forth in Sections 217 and 219-e of the General Municipal Law, which criteria are incorporated into this local law and are specifically made applicable to volunteer firefighters and volunteer ambulance workers hereunder.
 - v. The incorporated volunteer fire company, fire department or incorporated volunteer ambulance service has submitted to the Oneida County Director of Emergency Services a complete list of enrolled members, with their respective dates of service with such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service. The Oneida County Director of Emergency Services shall then review all applicants and certify those applicants who meet the criteria to be eligible for this tax exemption.
- c. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service, who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company,

fire department or incorporated volunteer ambulance service, shall be granted the ten per cent exemption as authorized by this local law for the remainder of his or her life and for as long as his or her primary residence is located within the Town of Marcy.

- d. Application for such exemption shall be filed annually with the Assessor of the Town of Marcy on or before the annual taxable status date for the Town on a form prescribed by the State Board of Equalization and Assessment.
- e. An applicant who is a volunteer firefighter or volunteer ambulance worker and who, by reason of such status, is receiving any benefit under the provisions of Article Four of the Real Property Tax Law on the effective date of this local law, shall not suffer any diminution of such benefit because of the provisions of this local law.

This Local Law shall take effect immediately and shall apply to real property having a taxable status date on or after the first day of the January next succeeding the date on which this enactment shall have become law.

(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. One of ~~19~~ 2005 of the ~~(County)(City)(Town)(Village)~~ of Marcy was duly passed by the Town Board on 12/08 ~~1905~~, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(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 chairman 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.)

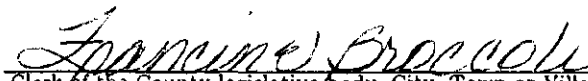
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, 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 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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 of 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

(Seal)


Date: 12/08/2005

(Certification to be executed by ~~COUNTY ATTORNEY, CORPORATION COUNSEL, Town Attorney, VILLAGE ATTORNEY or other authorized officers of local law~~)

STATE OF NEW YORK

COUNTY OF ONEIDA

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.


Signature
Town Attorney
Title

County

City

Town

Village

of

Marcy

Date: 12/08/2005