

## Local Law Filing

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(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.

FILED  
STATE RECORDS  
DEC 06 2018

\_\_\_ County \_\_\_ City X Town \_\_\_ Village of Cohocton

### Local Law No. 3 of the Year 2018

DEPARTMENT OF STATE

#### A local law to override the tax levy limit established in General Municipal Law, Section 3-c.

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

##### Section 1. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Cohocton, pursuant to General Municipal Law, Section 3-c, and to allow the Town of Cohocton to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law, Section 3-c.

##### Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law, Section 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

##### Section 3. Tax Levy Limit Override.

The Town Board of the Town of Cohocton, County of Steuben is hereby authorized to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, Section 3-c.

##### Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted 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, subdivision, 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 order or judgment shall be rendered.

##### Section 4. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

(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 annexed hereto, designated as Local Law No. 3 of 2018 of the Town of Cohocton, was duly passed by the Town Board on October 30 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 annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City) (Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, and \_\_\_\_\_ *(Name of Legislative Body)* was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_, and was *(Elective Chief Executive Officer\*)* deemed duly adopted on \_\_\_\_\_, 20\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local annexed hereto, designated as local law No. \_\_\_\_ of \_\_\_\_ of the Town of Cohocton was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, and was approved by the \_\_\_\_\_, *(Name of Legislative Body)* *(Elective Chief Executive Officer\*)* on \_\_\_\_\_. 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 \_\_\_\_\_, 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 annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City) (Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, and \_\_\_\_\_ *(Name of Legislative Body)* was (approved)(not approved)(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\*)*

**5. (City local law concerning Charter revision proposed by petition.)**

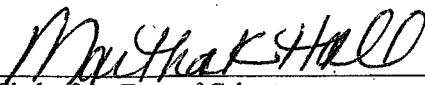
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 subdivision 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.

\* 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 the town where such officer is vested with the power to approve or veto local laws or ordinances.

(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.

  
\_\_\_\_\_  
Clerk of the Town of Cohocton  
MARTHA R. HALL

Date: 10/31/18

(Seal)