

**TOWN OF HAMPTON  
COUNTY OF WASHINGTON, STATE OF NEW YORK**

**LOCAL LAW NO. 5 OF 2016**

**A LOCAL LAW TO OPT OUT OF NEW YORK STATE REAL PROPERTY TAX LAW  
SECTION 487 PROVIDING FOR AN EXEMPTION FOR SOLAR, WIND OR FARM-  
WASTE ENERGY SYSTEMS**

**Be it enacted** by the Town Board (the “Board”) of the Town of Hampton (“Town”), County of Washington, State of New York (“State”) as follows:

**Section 1. Legislative Intent.**

New York State Real Property Tax Law Section 487 provides for an exemption from taxation for certain solar energy systems, wind energy systems or farm waste energy systems, and further provides in sub-section 8 of such section that a town may, by local law, provide that no exemption under this section shall be applicable within its jurisdiction with respect to any solar energy system, wind energy system or farm waste energy system constructed subsequent to the effective date of this local law.

**Section 2. Opt Out of Exemption.**

Pursuant to the authority of Real Property Tax Law Section 487, sub-section 8, the Town of Hampton hereby opts out of the exemption from real property taxes granted by New York State Real Property Tax Law Section 487, subsection 2, and related sub-sections, so that no exemptions under the provision of said Real Property Tax Law shall be applicable to town taxes with respect to solar energy systems, wind energy systems or farm waste energy systems in the Town of Hampton.

**Section 3. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, 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, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 4. Repealer.**

This local law shall supersede all prior local laws, ordinances, rules and regulations of the Town of Hampton that may be inconsistent with this local law and any such prior laws, ordinances, rules and regulations shall be, upon the effective date of this Local Law, null and void.

**Section 5. Effective Date.**

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

# 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  Town  Village  
(Select one:)

of HAMPTON

Local Law No. 5 of the year 20 16

A local law TO OPT OUT OF NEW YORK STATE REAL PROPERTY TAX LAW SECTION 487  
(Insert Title)  
PROVIDING FOR AN EXEMPTION FOR SOLAR, WIND OR FARM-WASTE ENERGY  
SYSTEMS

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of HAMPTON as follows:

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

(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. 5 of 2016 of the ~~(County)(City)(Town)(Village)~~ of HAMPTON was duly passed by the TOWN BOARD on JUNE 15 2016, 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 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\_\_\_\_. *(Elective Chief Executive Officer\*)*

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 \_\_\_\_\_ 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 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 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 at 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.

*Rebecca S. Jones*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 6/17/16

(Seal)

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

June 27, 2016

Town of Hampton  
Rebecca S. Jones  
2629 State Route 22A  
Hampton, NY 12837

**RE: Town of Hampton, Local Law 5 2016, filed on June 27, 2016**

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](http://www.dos.ny.gov).

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



# **TOWN OF HAMPTON**

**TOWN CLERK**

Rebecca S. Jones, RMC

**WASHINGTON COUNTY**

2629 STATE ROUTE 22A

PO Box 125

Hampton, New York 12837

PHONE #: (518) 282-9830 FAX #: (518) 282-9042

**DAVID K. O'BRIEN, SUPERVISOR**

Tamme Taran, Deputy Supervisor

**COUNCILMAN**

Tamme Taran

Donald Sady

Andrea Sweeney

Roger Weeden

June 17, 2016

NYS Department of State  
Division of Corporations, State Records &  
Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, New York 12231

To Whom It May Concern:

Please find enclosed the following for filing

➤ Local Law # 5 of 2016

If you have any questions, feel free to contact me. Thank you.

Sincerely,

Rebecca S. Jones, RMC  
Town Clerk  
Town of Hampton

Enclosure