

LOCAL LAW NO. 6-2012
“Flexibility to Override Tax Levy Limitations in General Municipal Law Section 3-c
for Fiscal Year 2013”

A LOCAL LAW providing the flexibility and ability to override the tax levy limitations established by General Municipal Law §3-c.

BE IT ENACTED by the Board of Trustees of the Village of Ossining, County of Westchester, 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 Village of Ossining pursuant to General Municipal Law §3-c, and to allow the Village of Ossining to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the tax levy limit as defined by General Municipal Law §3-c.

It is the determination of the Board of Trustees of the Village of Ossining that the property tax cap enacted by the State Legislature in 2011 is patently unfair to the residents of the Village of Ossining and would severely curtail the ability of the Village of Ossining to provide necessary local services to Village residents, due in large part to the unfunded mandates being passed on unabated to local municipalities such as the Village. It also is the determination of the Board of Trustees of the Village of Ossining that to meet the dates by which the 2013 budget must by State law be adopted, the Village requires the flexibility and ability which this local law would provide. Thus, it is in the best interests of the Village of Ossining and its residents, that the within Local Law be enacted.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Village Board of the Village of Ossining, County of Westchester is hereby authorized to adopt a budget for the Village of Ossining for the fiscal year 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §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 adjudicated 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 judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon adoption, and a copy thereof shall be transmitted to the New York State Secretary of State.