

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**

NOV 04 2013

MISCELLANEOUS  
STATE RECORDS

**TOWN OF NEWCOMB**

Local Law No. 1 of 2013

**A LOCAL LAW TO OVERRIDE TAX LEVY LIMIT  
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C FOR FISCAL YEAR 2014**

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF NEWCOMB, ESSEX COUNTY, NEW YORK, AS FOLLOWS:**

- 1. Legislative Intent and Need** - 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 Newcomb pursuant to New York General Municipal Law Section 3-c, and to allow the Newcomb Town Board to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.
- 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 a vote of sixty percent (60%) of the total voting power of the Town Board.
- 3. Tax Levy Limit Override and Budget Authorization** - The Town Board hereby overrides the tax levy limit under New York General Municipal Law Section 3-c for the Town of Newcomb for fiscal year 2014 and authorizes the Newcomb Town Board, after completing all required procedures for the adoption of a budget, to adopt a budget for fiscal year 2014 that requires a tax levy that is greater than the tax levy limit calculated for 2014 pursuant to General Municipal Law Section 3-c.
- 4. Severability** - The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.
- 5. Effective date** - This Local Law shall take effect immediately upon filing with the Secretary of State and shall apply only to the Town's budget for fiscal year 2014.

# 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 Newcomb

Local Law No. 1 of the year 2013

A local law to override tax levy limit established in General Municipal Law 3-c for fiscal year 2014.  
(Insert Title)

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

County  City  Town  Village  
(Select one:)

of as follows:

1. Legislative Intent and Need - It is the intent of the Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Newcomb pursuant to New York General Municipal Law Section 3-c, and to allow the Newcomb Town Board to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.
2. Authority - This Local Law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorized the Town Board to override the tax levy limit by the adoption of a Local Law approved by a vote of sixty percent (60%) of the total voting power of the Town Board.
3. Tax Levy Limit Override and Budget Authorization - The Town Board hereby overrides the tax levy limit under New York General Municipal Law Section 3-c for the Town of Newcomb for fiscal year 2014 and authorizes the Newcomb Town Board, after completing all required procedures for the adoption of a budget, to adopt a budget for fiscal year 2014 that requires a tax levy that is greater than the tax levy limit calculated for 2014 pursuant to General Municipal Law Section 3-c.
4. Severability - The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.
5. Effective date - The Local Law shall take effect immediately upon filing with the Secretary of State and shall apply only to the Town's budget for fiscal year 2014.

(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. 1 of 2013 of the (County)(City)(Town)(Village) of Newcomb was duly passed by the Town Board on October 15, 2013, 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) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(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) (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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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\* 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.

*Mary Jones, Newcomb Town Clerk*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 10-24-13

(Seal)