

(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 of New Paltz

~~Village~~

Local Law No. _____ of the year 2018

A local law TO Add a New Article IX, “Commercial, Business and Industrial Exemptions” to Chapter 127, “Taxation” of the Code of the Town of New Paltz.

Be it enacted by the Town Board of the

~~County~~

~~City~~

Town of New Paltz as follows:

~~Village~~

Section 1. Purposes and intent: New York State Municipal Home Rule Law, §10 allows the Town Board to supersede various state laws relating to the property, affairs or government of the town by the adoption of a local law, provided that such enactment is not inconsistent with the United States Constitution or the New York State Constitution unless the Legislature expressly shall have prohibited the adoption of such local law.

Subdivision 7 of Real Property Tax Law §485-b specifically allows the Town Board to adopt a local law to reduce the per centum of exemption otherwise allowed pursuant to Real Property Tax Law §485-b for business, commercial and industrial activities.

The Town Board finds that Real Property Tax Law §485-b providing business investment exemptions for certain business, commercial and industrial activities has a negative economic impact in New Paltz and that reducing such exemptions to zero and collecting the full amount of tax revenue will be the most beneficial to the town and its residents.

It is the intent of this local law to reduce to zero the business, commercial and industrial exemptions otherwise allowed pursuant to Real Property Tax §485-b.

Section 2. Amendment: Chapter 127, “Taxation” of the Code of the Town of New Paltz is hereby amended to add a new Article IX, “Commercial, Business and Industrial Exemptions” to read as follows:

“ARTICLE IX Business, Commercial and Industrial Exemptions.

“§ 127-25 The per centum of business, commercial and industrial exemptions otherwise allowed pursuant to Real Property Tax §485-b is zero in all years 1 through 10.”

Section 3. When effective; filing.

This article shall take effect immediately as provided in the Municipal Home Rule Law, and an additional copy shall be filed with the State Board of Real Property Services, The Ulster County Real Property Tax Service Agency (a division of the Ulster County Department of Finance), and the Assessor of the Town of New Paltz. Properties currently receiving exemptions would be excluded and continue to receive already approved exemptions.

Section 4. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances and the Town Board of the Town of New Paltz hereby declares that it would not have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.