

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.

County City Town Village
(select one)

of Floral Park

Local Law No. 1 of the year 2018

A local law to override the Tax Levy Limit Established in General Municipal Law § 3-c.
(insert Title)

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

County City Town Village
(Select One:)

of Floral Park as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Floral Park to adopt a budget for the fiscal year commencing 2018 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c., which this year is 2%. Outstanding issues remain unresolved by the State of New York, including the definition of "levy," the mechanics of placing any excess "levy" in reserve and the constitutionality of the law as applied to debt and the imposition of penalties arising from mathematical errors in calculating the "levy" in accordance with New York State Law.

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

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 tax levy limits for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the Village Board of Trustees.

Section 3. Tax Levy Limit Override

This Board of Trustees of the Village of Floral Park, County of Nassau, is hereby authorized to adopt a budget for the fiscal year commencing 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal law § 3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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 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 law annexed hereto, designated as local law No. 1 of 2018 of the (County)(City)(Town)(Village) of Floral Park was duly passed by the Board of Trustees on , 2018, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passed 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 on 20 , in accordance with the applicable provisions of law.
(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)
(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)*

*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 as 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.


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

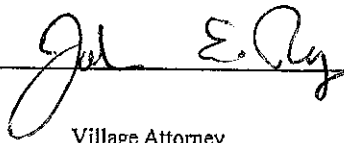
Date: _____ April 11, 2018 _____

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature 
Village Attorney
Title
County
City
Town of Floral Park
Village

Date: _____ April 11, 2018 _____