

**VILLAGE OF HAVERSTRAW
PROPOSED LOCAL LAW NO. 6 -2023**

**A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF HAVERSTRAW, CHAPTER
214 Article III, by repealing 214-16 and 214-17 and adding a new Section 214-16A through 214-
16G now known as
THE ALTERNATIVE VETERANS EXEMPTION AND COLD WAR VETERANS
EXEMPTION**

Be it enacted by the Board of Trustees of the Village of Haverstraw as follows:

**ARTICLE III
Alternative Veterans Exemption and Cold War Veterans Exemption**

§ 214-16A. Purpose.

The Village Board hereby exercises the power given to it by § 458-a(2)(d)(ii) of the New York Real Property Tax Law to set the maximum amounts of the assessed value of qualifying residential real property as defined in section § 458-a(1)(d) of the New York Real Property Tax Law that will be exempt from taxation pursuant to § 458-a of the New York Real Property Tax Law. "New York Real Property Tax Law" is abbreviated to read "RPTL."

§ 214-16B Amount of exemptions.

A. Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided, however, that such exemption shall not exceed \$75,000 or the product of \$75,000 multiplied by the latest state equalization rate for the Village.

B. In addition to the exemption provided by Subsection A of this section, where the veteran served in a combat theater or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, or the armed forces expeditionary medal, naval expeditionary medal, marine corps expeditionary medal, or global war on terrorism expeditionary medal, qualifying residential real property also shall be exempt from taxation to the extent of 10% of the assessed value of such property; provided, however, that such exemption shall not exceed \$50,000 or the product of \$50,000 multiplied by the latest state equalization rate for the Village, whichever is less.

C. In addition to the exemptions provided by Subsections A and B of this section, where the veteran received a compensation rating from the United States Veteran's Administration or from the United States Department of Defense because of a service-connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by 50% of the veteran's disability rating; provided however, that such exemption shall not exceed \$250,000 or the product of \$250,000 multiplied by the

latest state equalization rate for the Village, whichever is less. For the purpose of this subsection, where a person who has served in the active military, naval or air service during a period of war died in service of a service connected disability, such person shall be deemed to have been assigned a compensation rating of 100%.

D. For the purpose of this article, a Gold Star Parent as defined in RPTL § 458-a, Subdivision 7(a), is included within the definition of “qualified owner” contained in section RPTL § 458-a, Subdivision 1(c), and real property owned by a Gold Star Parent is included within the definition of "qualifying residential real property" contained in RPTL § 458-a, Subdivision 1(d), provided that such property is the primary residence of the Gold Star Parent.

Cold War Veterans Exemption

§ 214-16C. Purpose.

The purpose of this article is to create a partial exemption from real estate taxes levied by the Village of Haverstraw on property owned by a person who served on active duty in the United States Armed Forces during the time period from September 2, 1945, to December 26, 1991, was discharged or released therefrom under honorable discharge conditions and satisfies any other requirements set forth in § 458-b of the New York Real Property Tax Law. This article makes the Code of the Village of Haverstraw consistent with Sec. 473.331 of the Laws of Westchester County.

§ 214-16D. Definitions.

The definitions contained in RPTL 458-b are incorporated by reference.

§ 214-16E. Application for exemption.

An application for the exemption authorized by this article shall be made by the qualified owner, or all of the qualified owners, of qualified residential real property on a form prescribed by the New York State Board of Real Property Tax Services. The qualified owner or owners shall file the completed form in the Assessor's office. The Assessor shall determine the applicant's eligibility for the exemption authorized by this article as of the first taxable status date following the submission of a complete application therefor. The applicant shall be required to refile at such times and under such circumstances as may be set forth in § 458-b(4) of the New York Real Property Tax Law. Any person convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the New York Penal Law.

§ 214-16F. Amount of exemption; limitations.

A. Qualified residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided, however, that such exemption shall not exceed \$75,000 or the product of \$ 75,000 multiplied by the latest state equalization rate for the Village.

B. In addition to the exemption provided by this article, where the Cold War veteran received a compensation rating from the United States Department of Veterans Affairs or from the United States Department of Defense because of a service-connected disability, qualified residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by 50% of the Cold War veteran disability rating; provided however, that such exemption shall not exceed \$250,000 or the product of \$250,000 multiplied by the latest state equalization rate for the Town, whichever is less.

C. If a Cold War veteran receives an alternative veterans' exemption under Article VI of this chapter, the Cold War veteran shall not be eligible to receive an exemption under this article.

§ 214-16G. Duration of exemption.

The exemption provided by this article shall be granted for as long as a qualified owner owns a qualified residential real property. Exemptions provided by this article in existence prior to January 1, 2018, shall not expire on their 10th anniversary but shall continue for as long as the qualified owner owns a qualified residential real property, without the qualified owner having to file another application.

Section Three. Severability. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Four. This local law shall take effect immediately upon its adoption and filing with the Secretary of State and shall apply to taxable status dates on or after that date.

I, Isabel Gonzalez-Soto, Clerk of the Village of Haverstraw, New York, do hereby certify that the above law was adopted at a Regular Meeting of the Board of Trustees held on September 18, 2023, and is on file and that said law has not been altered, amended, or revoked and is in full force and effect.

September 19, 2023
Haverstraw, New York

Isabel Gonzalez-Soto

Seal of Municipality