

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 Briarcliff Manor

Local Law No. 3 of the year 20²⁴

A local law A LOCAL LAW AMENDING CHAPTER 195 ENTITLED "TAXATION" TO ADD A NEW
(Insert Title)
ARTICLE VIII, VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKER EXEMPTION
OF THE CODE OF THE VILLAGE OF BRIARCLIFF MANOR

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

County City Town Village
(Select one:)

of Briarcliff Manor as follows:

SEE ATTACHED

(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. 3 of 2024 of the (County)(City)(Town)(Village) of BRIARCLIFF MANOR was duly passed by the BOARD OF TRUSTEES on MARCH 5 2024, 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

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 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.)

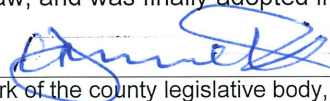
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.



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

Date: 3-12-24

(Seal)

A LOCAL LAW AMENDING CHAPTER
195 ENTITLED "TAXATION" IN THE
CODE OF THE VILLAGE OF
BRIARCLIFF MANOR

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

Section 1. Chapter 195 Taxation of the Code of the Village of Briarcliff Manor is amended to add a new Article VIII as follows:

Article VIII Volunteer Firefighters and Ambulance Worker Exemption

§195-51 Legislative finding and intent.

The Village of Briarcliff Manor Board of Trustees finds it in the public interest to adopt legislation in accordance with Section 466-a of the NYS Real Property Tax Law with respect to real property tax abatement for qualified members of an incorporated volunteer fire company, fire department, or ambulance service and other related persons under specific circumstances for the purposes of enhancing recruitment and retention of this valuable community resource.

§195-52 Exemption.

An exemption of ten percent (10%) of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from general municipal taxation with respect to the real property taxes of the Village of Briarcliff Manor as long as eligibility requirements are met.

§195-53 Eligibility requirements.

Any exemption provided hereunder shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or ambulance service provided that:

- A. The property is owned by the enrolled and certified member of an incorporated volunteer fire company, fire department or ambulance service.
- B. The property is the primary residence of the enrolled and certified member.
- C. The property subject to exemption is used exclusively for residential purposes.
The assessor may apportion the assessed value and apply the exemption only to the portion of the property used for residential purposes.

- D. The enrolled and certified member resides in the Village of Briarcliff Manor and the Village of Briarcliff Manor is served by such incorporated volunteer fire company, fire department, or ambulance service.
- E. The applicant is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or ambulance service; and
- F. The applicant has been an enrolled and active member as defined in §195-54 hereunder for no fewer than five (5) years.

§195-54 Standards for Active Membership.

An otherwise qualified member must have met, during the calendar year ending December 31 preceding the applicable taxable status date, the standards of the Briarcliff Manor Fire Department Fire Council Active Membership Requirements, which shall be no less restrictive than the following:

- A. Minimal attendance at emergency calls during the applicable annual period:
 - i. Attendance at five percent (5%) of fire emergency calls or five percent (5%) of ambulance emergency calls; or
 - ii. Providing four hundred and fifty (450) hours of assigned shift duty for ambulance calls; or
 - iii. Providing six hundred (600) hours of assigned shift duty for fire calls.
- B. Attendance at no fewer than six (6) training drills.
- C. Completion of any ten (10) of the following:
 - i. Inspections
 - ii. Driver training sessions
 - iii. Meetings
 - iv. Parades
 - v. Truck Checks
 - vi. Truck Washes
 - vii. Work Nights
 - viii. Public Education
 - ix. Fire Council designated events
 - x. Enrollment of a new member
- D. Completion of applicable New York State Department of Labor, United States Department of Labor Occupational Safety and Health Administration (OSHA), or other training courses mandated for Volunteer Firefighters or Volunteer EMS providers or required by the Briarcliff Manor Fire Department Fire Council.
- E. Receipt of CPR Certification.

In lieu of the requirements of above, an otherwise qualified member acting as LOSAP Administrator, Fund Drive Coordinator, or Chaplain, throughout the five-year period preceding any application for exemption, may be deemed to have met the standards for active membership.

§195-55 Application and procedures.

- A. Application. A qualified applicant must annually, on or before the applicable taxable status date, file for such property tax exemption with the assessor responsible for preparing the assessment roll for the Village of Briarcliff Manor, on a form as prescribed by the New York State Commissioner of Taxation and Finance.
- B. Guidelines. The Village of Briarcliff Manor shall maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.
- C. Certification. The Fire Chief, or his designee, shall provide the Village Manager and the Board of Trustees, no later than January 31 prior to the applicable taxable status date, a list of all members who have met the active membership standards of § 195-54. Such list must provide, as of December 31 prior to the applicable taxable status date, each qualifying member's name and address of residence, the number of years of service, and affirmation that the active membership standards of § 195-54 have been met.
- D. No diminution of benefits. An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this article.

§195-56 Exemptions for individuals under specific circumstances

- A. Grant of lifetime exemption. Any eligible enrolled member who accrues more than twenty (20) years of active volunteer service as certified by the Village of Briarcliff Manor shall be granted the ten percent (10%) exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within the Village of Briarcliff Manor.
- B. Un-remarried spouse of enrolled member killed in the line of duty. The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the Village of Briarcliff Manor, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an active member for at least five years and had been receiving the exemption at the time of his or her death.

- C. Un-remarried spouse of deceased active member. The un-remarried surviving spouse of a deceased enrolled member, as certified by the Village of Briarcliff Manor, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least twenty (20) years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

Section 2. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

Section 3. Effective Date. This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York in accordance with the provisions of the Municipal Home Rule Law.