

(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.

TOWN OF EAST BLOOMFIELD

Local Law No. 3 of the year 2023

A local law To Rescind Local Law No. 2 of 2023, entitled “A Local Law to Override the Tax Cap Law for the 2024 Budget”

Be it enacted by the Town Board of the Town of East Bloomfield, as follows:

Section 1. Legislative Intent

It is the intent of this local law to RESCIND Local Law #2 of 2023, which overrode the limit on the amount of real property taxes that may be levied by the Town of East Bloomfield pursuant to General Municipal Law 3-c, and allowed the Town of East Bloomfield to adopt a budget for the fiscal year beginning January 1, 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law 3-c. In rescinding Local Law #2 of 2023 the Town of East Bloomfield may certify that the 2024 budget will not exceed the tax cap and that no local law exists that overrides the tax cap, thereby ensuring the Town of East Bloomfield is tax freeze compliant.

Section 2. Authority

This local law is adopted pursuant to the authority under General Municipal Law, Municipal Home Rule Law and the doctrine of legislative equivalency, which authorizes the Town of East Bloomfield to rescind Local Law #2 of 2023 by the adoption of a new local law approved by vote of sixty percent (60%) of said governing body.

Section 3. Severability

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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 4. 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. 3 of 2023 of the Town of East Bloomfield was duly passed by the Town Board on November 27 2023 in accordance with the applicable provisions of law.

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

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, 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) (repassed after disapproval) by the _____ on _____ 20__.

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 information.)

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 submitted 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 _____ 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.

Town Clerk designated by the local legislative body

(Seal)

Date: _____