

## Local Law # 1 of the year 2023

### OVERRIDING THE PROPERTY TAX LEVY LIMIT

**WHEREAS**, the State of New York has enacted General Municipal Law requiring that municipalities, with certain exceptions, caps the growth of the property tax levy; and

**WHEREAS**, the statutory formula for calculation of permitted property tax levy growth may require the Village of Perry to roll back property tax rates to stay within statutory caps; and

**WHEREAS**, the proposed budget forecasts the potential need to exceed the statutory property tax levy cap.

**NOW, THEREFORE BE IT ENACTED:**

#### **Section 1. Legislative Intent.**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Village of Perry pursuant to General Municipal Law § 3-c, and to allow the Village to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

#### **Section 2. Authority.**

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Board of Trustees to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Board.

#### **Section 3. Tax Levy Limit Override.**

The Board of Trustees of the Village of Perry, Wyoming County is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

#### **Section 4. 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 adjusted 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 5. Effective date.**

This local law shall take effect immediately upon filing with the Secretary of State.