

Local Law Filing

Village of Port Chester, New York

Local Law No. 04 of the year 2024

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER TO AUTHORIZE A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW, SECTION 3-c FOR THE FISCAL YEAR 2024-2025 VILLAGE BUDGET

Be it enacted by the Board of Trustees of the Village of New Port Chester as follows:

SECTION 1: Purpose and Intent

The Board of Trustees is concerned about the uncertainties in the existing tax cap law, including the nature and extent that uncertain expenditures mandated by law and uncertain expenditures and revenues controlled by the County and the State interact with the tax cap. The Board is obligated to prepare a responsible budget, which meets the Village's mandated obligations and delivers the high level of services that residents expect, while minimizing the tax burden on taxpayers. This local law does not mandate that the Board of Trustees override the tax cap, but only act to provide the Board with flexibility in the budgetary process as it seeks to strike the appropriate balance between such competing interests.

SECTION 2: Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law, Section 3-c, which authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3. Tax Limit Override

The Board of Trustees of the Village of Port Chester is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024 that requires a property tax levy in excess of the amount otherwise prescribed in General Municipal Law, Section 3-c.

SECTION 4. Severability

If any provision of this local law is held to be invalid or unenforceable in whole or in part, such invalidity or unenforceability shall attach only to such provision or part thereof and the remaining part of such provision and all such other provisions shall continue in full force and effect.

SECTION 5. Effective Date

This local law shall be effective immediately upon adoption.

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF PORT CHESTER, NEW YORK

Luis A. Marino, Mayor

Janusz R. Richards, Village Clerk

Adopted: April 1, 2024

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 04 of the 2024 of the Village of Port Chester was duly passed by the Village Board of Trustees on April 1, 2024 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 _ of the Village of Port Chester was duly passed by the Village and was (approved) (not approved) (repassed after disapproval) by the and was deemed duly adopted on in accordance with their applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. __ of Year 20 __ of the Village of Port Chester 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 referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. __ of 20 __ of the Town of Rye was duly passed by the _____ on _____ 20__, and was (approved) (not approved) (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.

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 the 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 hereto, designated as local law No. ___ of 20__ of the County of Westchester, State of New York, having been submitted to the electors at the General Elections 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 the 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 there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Janusz R. Richards, Village Clerk
Village of Port Chester

Date: April 2, 2024

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