

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.

Town of LaFayette

Local Law No. 2 of the year 2021.

A local law to opt out of Real Property Tax Law § 487 exemption
(Insert Title)

Be it enacted by the Town Board of the

Town of LaFayette as follows:

Section 1. Chapter 245, titled “Taxation” of the Code of the Town of LaFayette is amended by adding a new Article, designated as Article IX and titled “Opt-Out of Real Property Tax Law §487 Exemption,” to read as follows:

§204-25. Legislative intent.

New York Real Property Tax Law §487 exempts real property which includes a solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment and electric energy storage system, or fuel-flexible linear generator electric generating system, from taxation to the extent of any increase in the value thereof by reason of the inclusion of system for a period of fifteen years. Real Property Tax Law §487 further provides the Town of LaFayette with the option to opt-out of the RPTL §487 tax exemption by enacting a local law stating that no exemption under RPTL §487 shall be applicable within LaFayette’s jurisdiction. The Town Board of the Town of LaFayette finds that it is in the best interest of the Town to tax property value increases related to real property potentially subject to the exemption granted under RPTL §487 at its full assessed value.

§204-26. Opt-Out of Real Property Tax Law §487 Exemption.

The tax exemption made available by Real Property Tax Law §487 shall not be applicable within the boundaries of the Town of LaFayette with respect to any solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment and electric energy storage system, or fuel-flexible linear generator electric generating system, hereafter constructed, or to any other energy system eligible for the real property tax exemption pursuant to §487 of the Real Property Tax Law.

Section 2. Enacting authority. This Local Law is authorized by and enacted pursuant to the New York State Constitution, the New York Municipal Home Rule Law, the Statute of Local Governments, section 487 of the Real Property Tax Law, and the Town Law of the State of New York.

Section 3. Severability. If any provision, word, clause, sentence, paragraph, section, article or part of this local law, or the application thereof to any person or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate any other part of this local law or the application of this law, or any part thereof, to other persons or circumstances.

Section 4. This Local Law is effective upon filing with the Secretary of State.

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2021 of the Town of LaFayette was duly passed by the Town Board on May 11, 2021, in accordance with the applicable provisions of law.

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.



Jacqueline G. Roorda, Town Clerk

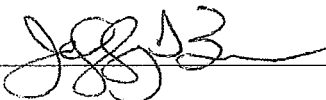
(Seal)

Date: May 11, 2021

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ONONDAGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature

Attorney for the Town

Title

Town of LaFayette

Date: May 11, 2021