

RESOLUTION NO. 19-

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2019 ENTITLED "A
LOCAL LAW TO ALLOW COLD WAR VETERANS A LIMITED COUNTY TAX
EXEMPTION PURSUANT TO SECTION 458-B OF THE REAL PROPERTY TAX LAW"

By: Manchester

Seconded by:

WHEREAS, Introductory Local Law No. 3 for the Year 2019 has been introduced and filed with the Chemung County Legislature seven (7) calendar days prior to consideration, exclusive of Sunday, upon the desks of the members of the Chemung County Legislature as required by Section 20 of the Municipal Home Rule Law and the Clerk of the County Legislature has made her affidavit of service of filing the same; and

WHEREAS, Municipal Home Rule Law, Section 20 requires the Chief Executive Officer of the County to hold a Public Hearing thereon within the time limits as stated therein; and

WHEREAS, the Chemung County Charter, Article II, provides for adoption of Local Laws by the Chemung County Legislature; now, therefore, be it

RESOLVED, that the following Introductory Local Law No. 3 for the Year 2019, be and the same is hereby enacted and promulgated by the Chemung County Legislature as follows:

COUNTY OF CHEMUNG INTRODUCTORY LOCAL LAW NO. 3 FOR THE YEAR 2019 (to
become Local Law No. 3 for the Year 2019 upon filing)

LOCAL LAW TO ALLOW COLD WAR VETERANS A LIMITED COUNTY TAX
EXEMPTION PURSUANT TO SECTION 458-B OF THE
REAL PROPERTY TAX LAW

BE IT ENACTED by the Chemung County Legislature of the County of Chemung,
State of New York, as follows:

Section 1. Purpose.

(a) The purpose of this local law is to authorize a limited exemption from real property taxes for residential real property owned by veterans and their surviving spouses who rendered military service to the United States during the “Cold War” pursuant to Section 458-b of the Real Property Tax Law.

(b) Pursuant to subsection 2(c)(ii) of §458-b of the Real Property Tax Law, if a Cold War veteran receives the exemption under §458 or §458-a or the Real Property Tax Law, the Cold War veteran shall not be eligible for this exemption.

Section 2. Term

Pursuant to subsection 2(c)(iii) of §458-b of the NYS Real Property Tax Law, the exemption authorized shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to a ten year limitation.

Section 3. Cold War Exemption.

(a) Pursuant to subsection 2(a) of § 458-b of the Real Property Tax Law of the State of New York, and subject to the definitions, limitations and requirements of said § 458-b, the County of Chemung hereby adopts the qualifying residential real property exemption under subsection 2(a)(i) of § 458-b of the Real Property Tax Law of the State of New York, that is, an exemption in the amount of fifteen percent (15%) of the assessed value of such property, provided however, that such exemption, as permitted by subsection 2(c)(iii), shall not exceed twelve thousand dollars (\$12,000) or the product of twelve thousand dollars multiplied by the latest state equalization rate of such property’s assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

(b) Pursuant to subsection 2(b) of § 458-b of the Real Property Tax Law of the State of New York, and subject to the definitions, limitations and requirements of said § 458-b, the County of Chemung hereby adopts the qualifying residential real property exemption under subsection 2(b) of § 458-b of the Real Property Tax Law of the State of New York, that is, an exemption in the amount equal to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption, as permitted by subsection 2(c)(iii), shall not exceed forty thousand dollars (\$40,000) or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

Section 4. Effective Date.

This Local Law shall take effect immediately upon its filing with the Secretary of State and shall be applicable to all assessment rolls prepared pursuant to the first taxable status date occurring on or after the effective date of this local law.

and, be it further

RESOLVED, that the Clerk of the Chemung County Legislature be and hereby is authorized to transmit the same to the County Executive for a public hearing and said County Executive shall hold said public hearing within twenty (20) days after the presentation of said Introductory Local Law No. 3 for the Year 2019 to him.