

**City Clerk's Department
BUFFALO**

May 1 , 2024

**HON. BYRON W. BROWN
MAYOR OF BUFFALO**

DEAR SIR:

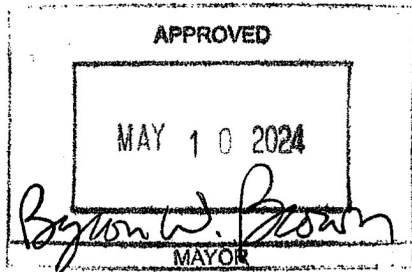
Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

PASSED April 30, 2024

24-703

Scanlon – Local Law Intro #1 – Amend Article 28 Taxes and Assessments

**Tianna M. Marks
City Clerk**



2024 MAY 22 PM 1:10



The City of Buffalo Common Council

1413 City Hall
Buffalo, NY 14202

Meeting: 04/30/24 02:00 PM

Department: Common Council

Category: Resolution

Prepared By: Sean Depue

Initiator: Sean Depue

Sponsors: Council President Christopher P. Scanlon

DOC ID: 24480 C

ADOPTED

AGENDA ITEM 24-703

Scanlon - Local Law Intro #1 - Amend Article 28 Taxes and Assessments

Scanlon - Local Law Intro #1 - Amend Article 28 Taxes and Assessments

Mrs. Halton-Pope moved:

That the above item be, and the same hereby is, returned to the Common Council, dated April 30, 2024, with a recommendation for approval; and

That the Common Council of the City of Buffalo does hereby ordain as Follows:

Section 1: That Article 28, TAXES AND ASSESSMENTS, of the Charter of the City of Buffalo, adopted pursuant to law, is hereby amended to read as specified in the attachment.

Section 2: It is hereby certified, pursuant to Section 3-17 of the Charter of the City of Buffalo that this local law shall take effect immediately.

Approved.

ATTACHMENTS:

- ll intro 1-04252024152909 (PDF)

RESULT:	APPROVED [6 TO 3]
MOVER:	Christopher P. Scanlon, Council President
AYES:	Bollman, Everhart, Feroletto, Halton-Pope, Nowakowski, Scanlon
NAYS:	Joseph Golombek Jr, David A. Rivera, Rasheed N.C. Wyatt

By: Council President Scanlon

ARTICLE 28 TAXES AND ASSESSMENTS

The Common Council of the City of Buffalo does hereby ordain as follows:

That Article 28, TAXES AND ASSESSMENTS of the Charter of the City of Buffalo be amended to read as follows:

Section 1, that Article 28 of the Charter of the City of Buffalo, adopted pursuant to law is hereby amended to read as follows:

§28-10.1. Title.

This Local Law shall be referred to as, "A Local Law to Override the Tax Levy Limit Established in Article 2 of General Municipal Law §3-c."

§28-10.2. Legislative Intent and Purpose

It is the intent of this local law to allow the City of Buffalo to adopt a budget for the fiscal year commencing July 1, 2024 that requires a real property tax levy in excess of the "tax levy limit" defined by Article 2 of General Municipal Law §3-c.

The increase of the property tax levy beyond the two percentage cap is necessary to maintain fiscal stability and for the provision of essential municipal services at current levels.

The City of Buffalo has maintained and even enhanced the provision of services with sound and strict fiscal practices, adopting budgets each year falling well below the rate of inflation. This prudent approach has enabled the City to balance its budget without undue burden on City taxpayers. For many years the City maintained its tax levy with zero growth, saving homeowners and businesses significant dollars which they were able to invest in their homes, families, and businesses. Since 2013, City taxpayers have saved a cumulative total of \$363.6 million.

The City has thrived by restraining city budget growth, keeping taxes low, and adopting policies designed to improve the quality of life for its citizens and businesses.

The City of Buffalo must now exceed the tax levy limit due to extraordinary circumstances. The Covid 19 pandemic strained city budgets throughout the nation. This was temporarily alleviated with the federal government's substantial investment in The American Rescue Plan Act of 2021. These funds, which helped our city through this difficult period by stabilizing its budget and investing in quality-of-life initiatives throughout our community, will soon be exhausted. Moreover, inflationary pressures have resulted in increased costs in the City's purchasing and borrowing, higher operating expenses, and such increased costs continue to outpace the rate of our revenue growth.

The passage of this local law is necessary for the City's fiscal stability and for the provision of essential municipal services without exhausting the City's fund balance.

§28-10.3. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly 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.

§28-10.4. Tax Levy Limit Override

The City of Buffalo Common Council is hereby authorized to adopt a budget for the fiscal year commencing July 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

§28-10.5. Severability

If a Court determines that any clause, sentence, paragraph, subdivision or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the Court's order or judgment shall not affect, impair or invalidate the remainder of this local law, 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 2: IT IS HEREBY CERTIFIED, pursuant to Section 3-17 of the Charter of the City of Buffalo that this local law shall take effect immediately.

APPROVED AS TO FORM
ONLY:

Jared M. Good, Esq.

Jared M. Good
Assistant Corporation Counsel

For Immediate Passage

Byron W. Brown

Mayor, Byron W. Brown

NOTE: Matter underlined is new,
matter in brackets is to be deleted.

	* A Y E * N O *		
	*	*	*
BOLLMAN	* X *	*	*
EVERHART	* X *	*	*
FEROLETO	* X *	*	*
GOLOMBEK	*	*	X *
HALTON-POPE	* X *	*	*
NOWAKOWSKI	* X *	*	*
RIVERA	*	*	X *
SCANLON	* X *	*	*
WYATT	*	*	X *

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 [MAJ - 5]
 [2/3 - 6]
 [3/4 - 7]

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* 6 *	*	3 *
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