

LOCAL LAW NO. 4 OF 2022

A LOCAL LAW authorizing a Property Tax Levy in excess of the limit established in General Municipal Law §3-c for Fiscal Year 2023.”

BE IT ENACTED by the Board of Trustees of the Village of Dering Harbor as follows:

Section 1. Title, Intent and Purpose.

1.1. Title. The title of this local law shall be the "Tax Levy Limit Override 2023."

1.2. Legislative Authority. This local law is adopted pursuant to New York State General Municipal Law (GML), §3-c(5) that 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 60% of said governing body

1.3. Purpose. It is the intent of this article to allow the Village of Dering Harbor to adopt a budget for the fiscal year commencing June 1, 2023 that requires a real property tax levy in excess of the tax levy limit as defined by General Municipal Law §3-c.

Section 2. Tax Levy Limit Override. The Board of Trustees of the Village of Dering Harbor is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in the GML, §3-c.

Section 3. Repeal. If the Board of Trustees of the Village of Dering Harbor adopts a budget for the fiscal year commencing on June 1, 2023 that does not require a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c (to wit, if the authorization contained in Section 2 of this Local Law is not utilized), the override authority under this local law may be repealed by resolution of the Board of Trustees (to wit, without a public hearing and without any further local law).

Section 4. Authority. The proposed local law is enacted pursuant to General Municipal Law §3-c(5) and Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a), 10(1)(ii)(a)(12), and 10(1)(ii)(e)(3).

Section 5. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 6. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.