

# 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.

FILED  
STATE RECORDS  
DEC 01 2023

County  City  Town  Village  
(Select one.)

of Town of Marion DEPARTMENT OF STATE

Local Law No. 9 of the year 20 23

A local law Cold War Exemptions  
(Insert Title)

Be it enacted by the Marion Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Town of Marion as follows:

*See attached*

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

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

I hereby certify that the local law annexed hereto, designated as local law No. 9 of 20 23 of the (County)(City)(Town)(Village) of Marion was duly passed by the Marion Town Board on Nov 13 20 23, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**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 20 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20   , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. (Elective Chief Executive Officer\*)

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 (County)(City)(Town)(Village) of \_\_\_\_\_ 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.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

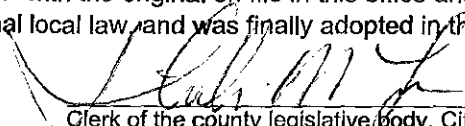
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election 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 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 therefrom and of the whole of such original local law and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 11-16-2023

(Seal)



**TOWN OF MARION**  
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PO Box 260  
Marion, NY 14505  
hlevan@townofmarionny.com

**Heidi M. Levan**  
Town Clerk/Tax Collector/Notary Public/Registrar

Office: 315-926-4271  
Fax: 315-926-3502

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## **Resolution #1104-23 Adopt Local Law #9-2023 – Cold War Exemptions**

On a motion by Councilman Lonneville and seconded by Councilman Bliet

ADOPTED: Long Roll:

Councilman Bliet – Aye  
Councilman Lonneville - Aye  
Councilwoman Herman – Aye  
Councilman Cramer – Aye  
Supervisor Bender – Aye

Ayes: 5

Abstained: 0

Nays: 0

The following resolution was adopted

WHEREAS, a Public Hearing was held on November 13, 2023, to add Cold War Exemptions;  
and

BE IT RESOLVED, the Marion Town Board adds Cold War Exemptions; and  
Local Law No. 9-2023

A Local Law Amending Chapter 156 entitled Taxation

Be it enacted by the Town Board of the Town of Marion as follows:

Section I. Article IV - Taxation Tax Levy Limit is hereby repealed and replaced as follows:

Article IV - Exemption for Cold War Veterans.

§ 156-9 Authority

This chapter is enacted pursuant to the provisions of § 458-b of the Real Property Tax Law,  
as amended by Chapter 410 of the Laws of 1994.

§ 156-10 Purpose

The purpose of this local law is to provide that qualifying residential real property as defined  
in Real Property Tax Law §458-b(1)(f) shall be exempt from taxation to the extent of either:

A. Fifteen percent of the assessed value of such property; provided, however, that such  
exemption shall not exceed \$12,000 or the product of \$12,000 multiplied by the latest state

equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

#### § 156-11 Additional exemption

In addition to the exemption provided by § 156-10 of this article, where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50% of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed \$40,000 or the product of \$40,000 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.

#### § 156-12 Applicability

A. The exemption from taxation provided by this article shall be applicable to town, taxation but shall not be applicable to taxes levied for school purposes.

B. If a Cold War veteran receives the exemption under §458 or §458-a of the Real Property Tax Law, the Cold War veteran shall not be eligible to receive the exemption under this article.

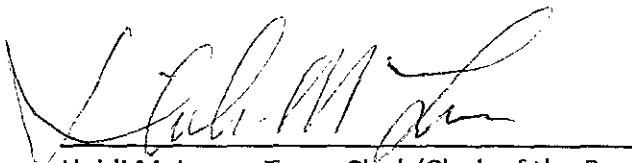
C. The exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners.

Section 2, All other local laws, and ordinances thereof of the Town of Marion inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects of this local law shall be in addition to other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section 3, If any of the provisions in the foregoing local law be decided by a court having jurisdiction to be unconstitutional or invalid, the same shall not affect the availability of the foregoing local law, or any part thereof, other than the part so decided to be unconstitutional or be invalid.

Section 4, This local law shall be effective immediately upon filing with the Secretary of State

I, Heidi M. Levan, Town Clerk/Clerk of the Board do hereby certify that this is a true and exact copy of the resolution presented and adopted at a regular meeting of the Town of Marion Board held on Monday, November 13, 2023 in the Marion Municipal Room.



Heidi M. Levan, Town Clerk/Clerk of the Board