

LOCAL LAW 5 OF 2023

A LOCAL LAW REPEALING LOCAL LAW 4 of 2023 ENTITLED, "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C", PREVIOUSLY ADOPTED ON OCTOBER 19, 2023.

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

Section 1. Title

This Local Law shall be referred to as "A LOCAL LAW REPEALING LOCAL LAW NO 4 OF 2023," entitled "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GML § 3-c".

Section 2. Purpose and Legislative Intent

Pursuant to General Municipal Law Section 3-D, upon the adoption of the budget by a local government unit, the Chief Executive Officer or Budget Officer of the local government wishing to render its taxpayers eligible for the real property tax freeze credit must: (i) certify that the budget adopted for the tax year in question does not exceed the tax levy limit; or (ii) if the governing body of the local government unit has enacted a local law or approved a resolution allowing the government unit to override the tax levy limit for the year in question, certify that such local law was subsequently repealed.

Therefore in order to comply with the requirements of section 3-D, Local Law No 4 of 2023, which was adopted on October 19, 2023 authorizing the Town of Woodbury to override the tax levy limit for 2024, is hereby repealed in its entirety.

Section 3. Authority

This Local Law is enacted pursuant to Municipal Home Rule Law §10. This local law shall supersede any special law to the extent it is inconsistent with the same and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute. This local Law shall supersede any inconsistent local law.

Section 4. Rules and Regulations

The Town Board is authorized to adopt rules and regulations, by resolution, to further implement the provisions of this local law.

Section 5. Severability

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Town Board of the Town of Woodbury hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 6. Repeal

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

Section 7. Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.