

# 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.

County  City  Town  Village  
(Select one.)

FILED  
STATE RECORDS

MAR 26 2024

of Allegany

DEPARTMENT OF STATE

Local Law No. 3 of the year 2024

A local law to Override the Real Property Tax Limit Established in New York General Municipal  
(Insert Title)  
Law §3-c

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

County  City  Town  Village  
(Select one.)

of Allegany as follows:

See Attached.

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

**Local Law No. 3 of the Year 2024**  
**A Local Law to Override the Real Property Tax Levy Limit**  
**Established in New York General Municipal Law §3-c**

**Allegany Town Board**

Be it enacted by the Town Board of the Town of Allegany, County of Cattaraugus and State of New York, to protect the health, safety and welfare of the residents and taxpayers of the Town of Allegany, as follows:

**SECTION 1. TITLE**

This Local Law shall be known as Local Law No. 3 of the Year 2024 and shall be titled “A Local Law to Override the Real Property Tax Limit Established in New York General Municipal Law §3-c.”

**SECTION 2. AUTHORITY**

New York General Municipal Law §3-c(5).

**SECTION 3. PURPOSE, LEGISLATIVE INTENT AND LEGISLATIVE FINDINGS**

It is the purpose and intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Allegany pursuant to General Municipal Law § 3-c, and to allow the Town of Allegany to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of the “tax levy limit” as defined by New York General Municipal Law § 3-c. The Allegany Town Board hereby finds that having the option to override the Real Property Tax Limit protects the health, safety and welfare of the residents and taxpayers of the Town of Allegany.

**SECTION 4. TEXT OF LOCAL LAW TO OVERRIDE THE TAX LIMIT**

The Town Board of the Town of Allegany, County of Cattaraugus is hereby authorized to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of the amount otherwise proscribed in New York General Municipal Law §3-c.

**SECTION 5. SEVERABILITY**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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 6. EFFECTIVE DATE**

This Local Law shall take effect immediately upon adoption by the Town Board of the Town of Allegany and filing with the New York Secretary of State.

(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. 3 of 2024 of the (County)(City)(Town)(Village) of Allegany was duly passed by the Town Board on February 27 2024, 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 on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**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\_\_\_\_.  
*(Name of Legislative Body)*  
*(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**

I hereby certify that the local law annexed hereto, designated the (County)(City)(Town)(Village) of \_\_\_\_\_ or \_\_\_\_\_ (repassed after disapproval) by the \_\_\_\_\_ law was subject to permissive referendum and no valid petition 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**ing referendum.)**

\_\_\_\_\_ of \_\_\_\_\_ passed by the \_\_\_\_\_ (not approved) \_\_\_\_\_. Such local \_\_\_\_\_

Double Sided

\* 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)**

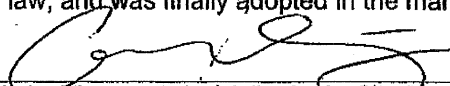
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 1 above.

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

Date: 3/1/2024

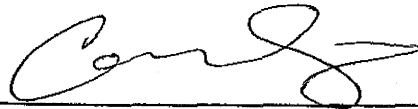
(Seal)

Certification of Town Clerk

STATE OF NEW YORK  
COUNTY OF CATTARAUGUS

I, the undersigned, hereby certify that I have compared the foregoing local law duly adopted by the Town Board of The Town of Allegany on the 27<sup>th</sup> day of February, 2024 with the original thereof now on file in my office, and the same is a true and correct copy of said resolution and of the whole thereof.

Dated: March 1, 2024



\_\_\_\_\_  
Grace C. Straub, Allegany Town Clerk



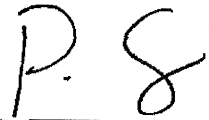
seal

Certification of Town Attorney

STATE OF NEW YORK  
COUNTY OF ERIE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Dated: March 1, 2024

Handwritten signature of Peter J. Sorgi in black ink, consisting of the letters 'P.' and 'S.' with a flourish.

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Peter J. Sorgi, Esq.  
Town Attorney, Town of Allegany, New York