

**LOCAL LAW # 1 OF 2023
Town of Smithville**

"A Local Law to Override the Tax Levy Limit for the Fiscal Year 2024"

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

SECTION 1: AUTHORITY

This Local Law is enacted pursuant to subdivision 5 of the New York General Municipal Law, ss3-c, the "Property Tax Cap Law" which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

SECTION 2: PURPOSE

The purpose of this local law is to permit the Town Board to override the tax levy limit on the amount of property taxes that may be levied by the Town of Smithville pursuant to the Property Tax Cap Law, and to allow the Town to adopt a budget for the Fiscal Year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by the Property Tax Cap Law. Such override is necessary and in the best interests of the Town.

SECTION 3: TAX LEVY LIMIT OVERRIDE

The Town of Smithville Town Board is hereby authorized to override the Tax Levy Limit established pursuant to New York General Municipal Law ss3-c , for the Fiscal Year 2024 and to adopt a budget for the Fiscal Year 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in the New York General Municipal Law ss3-c.

SECTION 4: SEVERABILITY

If any clause, sentence, paragraph or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance shall be adjudged 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 said clause, sentence, paragraph, section 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 order or judgment shall be rendered.

SECTION 5: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State as provided in ss27 of the New York Municipal Home Rule.

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
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ALBANY, NY 12231-0001
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KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

November 21, 2023

Town of Smithville
Po Box 217
5285 State Hwy. 41
Smithville Flats, NY 13841-0217

NOV 21 2023

RE: Town of Smithville, Local Law 1 2023, filed on 11/14/2023

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492