

BILL NO. 12 of 2019

A LOCAL LAW to amend Russell Gardens Code by adding a new Chapter 50A entitled “Tax Levy Limit Override” authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c

Section One. Chapter §50A entitled “Tax Levy Limit Override” shall read as follows:

§50A-1. Legislative Intent

It is the intent of this local law to allow the Village of Russell Gardens to adopt a budget for the fiscal year commencing 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

§50A-2. Authority

This local law is adopted pursuant to General Municipal Law §3-c(5), which 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 sixty percent (60%) of said governing body.

§50A-3. Tax Levy Limit Override

The Board of Trustees of the Village of Russell Gardens is hereby authorized to adopt a budget for the fiscal year commencing 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section Two. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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 Three. This local law shall take effect immediately upon filing with the Secretary of State.