

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.)

of Hamilton

Local Law No. 7 of the year 2011

A local law A Local Law Providing For
(Insert Title)
The Collection Of Certain Delinquent Village Taxes
By The County Of Hamilton

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

County City Town Village
(Select one.)

of Hamilton as follows:

BE IT ENACTED, By the Board of Supervisors of the County of Hamilton, State of New York, as follows:

SECTION 1. BOARD INTENT

The purpose of this Local Law is to provide for the collection by the County of Hamilton of certain delinquent Village taxes in accordance with Section 1442 of the Real Property Tax Law of the State of New York.

SECTION 2. RESOLUTION BY VILLAGE

The Board of Trustees of the Village of Speculator has adopted by resolution dated January 25, 2010, a request that Hamilton County annually assume the collection of delinquent taxes of the Village of Speculator, analogous to the manner the county currently collects delinquent taxes for towns and school districts within the county, for relevy to the Town and County tax roll for eventual enforcement, if necessary.

SECTION 3. TRANSMISSION OF THE DELINQUENT TAXES FROM THE VILLAGE TO THE COUNTY

The Speculator Village Board of Trustees shall transmit to the Hamilton County Treasurer within fifteen days after the tax roll and warrant has been returned by the Village Treasurer to the Board of Trustees, in such form as may be prescribed by the County Treasurer, the account and certificate of all unpaid taxes and delinquencies. Upon delivery to the County Treasurer of the account and certificate of unpaid village taxes, a penalty of five percent (5%) shall be added to each amount currently due and owing. The amount of penalty and interest accumulated on any delinquent

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

account at the time such account is transmitted to the County Treasurer shall be included in and be deemed part of the amount of the unpaid tax for purposes of computing the additional percentage to be levied by the Board of Supervisors of Hamilton County.

SECTION 4. PAYMENT OF DELINQUENT TAXES BY THE COUNTY TO THE VILLAGE

After transmission of delinquent village taxes by the Village of Speculator to the County Treasurer, the County Treasurer shall make payment of such taxes, together with interest and penalties in accordance with the provisions of Section 1442 of the Real Property Tax Law of the State of New York. The County Treasurer will pay to the Village Treasurer the amount of the delinquent taxes, including interest accumulated to the time of the return of the tax roll by the Village Treasurer to the Village Board of Trustees, on or before the first day of April following the receipt of the account and certification of delinquent village taxes. Provided, however, that the County Treasurer shall retain the 5% penalty imposed pursuant to paragraph (a) of Subdivision 4 of Section 1436 of the Real Property Tax Law; and excepting from the foregoing payment to the Village Treasurer amounts as may be due or become due with respect to Parcel No. 113.032-1-11 until such time as NYSDEC site closure letter or like documentation is received/approved by the County Attorney, such documentation evidencing environmental remediation/clean-up at such parcel.

SECTION 5. FULL JURISDICTION

Nothing herein shall be construed to limit the authority of the Hamilton County Board of Supervisors and/or Hamilton County Treasurer to enforce and collect delinquent county taxes as otherwise provided by law.

SECTION 6. VALIDITY

Should any section of the Local Law be declared by the Court of Competent jurisdiction to be invalid, such decision and determination shall not affect the validity of the remainder of this Local Law or any other part thereof.

SECTION 7. EFFECTIVE DATE

This Local Law shall take effect immediately as prescribed by the requesting resolution adopted by the Board of Trustees of the Village of Speculator and shall remain in effect unless rescinded or revoked by resolution of same village.

(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. 7 of 2011 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Hamilton was duly passed by the Hamilton County Board of Supervisors on June 2, 2011, 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) *(Name of Legislative Body)* (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) *(Name of Legislative Body)* (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) *(Name of Legislative Body)* (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.)

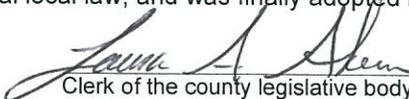
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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

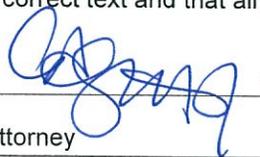
Date: 6/13/11

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Hamilton

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.



Signature
County Attorney

Title

County _____
~~City~~ of Hamilton
~~Town~~
~~Village~~

Date: 6/7/2011