

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 Evans Mills

FILED
STATE RECORDS

MAR 24 2023

Local Law No. 2 of the year 20²³

DEPARTMENT OF STATE

A local law A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED

(Insert Title)

BY SECTION 3-C OF THE NEW YORK GENERAL MUNICIPAL LAW

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

☐ County ☐ City ☐ Town ☒ Village
(Select one.)

of Evans Mills as follows:

Please see attached pages.

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

Village of Evans Mills

Local Law No. 2 of the Year 2023

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY
SECTION 3-C OF THE NEW YORK GENERAL MUNICIPAL LAW**

On the motion of Trustee Greg Smith and seconded by Trustee Teresa Fleming, the following local law is put forward:

Section 1. Legislative Intent

It is the intent of the Board of Trustees (the “Board”) of the Village of Evans Mills (the “Village”) through this local law to allow the Village to adopt a budget for the fiscal year commencing June 1, 2023, that requires a real property tax levy in excess of the “tax levy limit” as defined by New York General Municipal Law § 3-C.

Section 2. Authority

This local law is adopted by the Board pursuant to General Municipal Law § 3-C, Subdivision 5, which expressly authorizes a local government to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of not less than 60% of the governing body of such local government.

Section 3. Tax Levy Limit Override

This local law overrides the tax levy limit provided in General Municipal Law § 3-C. The Board is hereby authorized to adopt a budget for the fiscal year for the Village commencing June 1, 2023, that requires a real property tax levy in excess of the amount otherwise prescribed by General Municipal Law § 3-C.

Section 4. Severability

If a Court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm, 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 have been rendered.

Section 5. Effective Date


This local law shall take effect immediately upon filing with the Secretary of State.

This local law was declared duly adopted by not less than 60% of the Board.

I hereby certify that the above local law, designated as Local Law No. 2 of the Year 2023 of the Village of Evans Mills, was duly passed by the Board of Trustees on March 9th, 2023, in accordance with the applicable provisions of law.

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.

Dated: March 10th, 2023

A handwritten signature in cursive script, reading "Taylor Scheer", written over a horizontal line.

Taylor Scheer
Clerk-Treasurer
Village of Evans Mills

5. (City local law concerning Charter revision proposed by petition.)

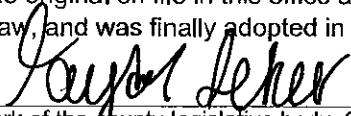
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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: March 10th, 2023

(Seal)

(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. 2 of 2023 of the (County)(City)(Town)(Village) of Village of Evans Mills was duly passed by the Village Board of Trustees on March 9th 2023, 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 (Elective Chief Executive Officer*)
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.