

LOCAL LAW FILING

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

(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 of Bristol
Village

Local Law No. ____ of the year **2022**

A Local Law to Adopt Certain Benefits under §459-c of the Real Property Tax Law authorizing exemption for Disabled Persons with Limited Incomes

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

County
City
Town of Bristol
Village

as follows:

SECTION 1: Legislative Intent

The purpose of this Local Law is to grant a partial exemption from taxation to the assessed valuation of real property which is owned by certain persons with limited income who are physically disabled meeting the requirements set forth in Section 459 (c) of the Real Property Tax Law, to the extent as provided in the following schedule: · A.) Income of \$13,500 or less shall receive a 50% (Fifty percent) exemption from Town taxes providing the property is used exclusively for residential purposes.

SECTION 2: Partial Real Property Tax Exemption

Real property owned by persons physically disabled shall be exempt from town and school taxes as set forth in Section 1 of this Local Law whereas the aforesaid Local Law is subject to the following conditions: · A.) The owner or all of the owners must file an application annually in the assessor’s office on forms prescribed by the State Board to be furnished by the assessor’s office on or before March 1st, the taxable status date, or such time as may be hereafter fixed by law. · B.) The income of the owner or the combined income of the owners must not exceed the amount as set forth in Section 1 of this Local Law for the income tax year immediately preceding the date of making application, or if no tax return is filled, the calendar year. · C.) Title to the property must be vested in the owner or one of the owners of the property for at least twelve (12) consecutive months prior to the date the application is filed. · D.) The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners, and constitute the legal residence of the owners.

SECTION 3: Authorization

This tax exemption shall be subject to the conditions set forth in Section 459 (c) of the Real Property Tax Law.

SECTION 4:

This article is adopted pursuant to the authority of Real Property Tax Law § 459-c. All definitions, terms and conditions of such statute are incorporated herein by reference and shall apply to this article.

- A. If the income of the owner or the combined income of the owners of the property for the income tax year (“income tax year” shall have the meaning ascribed to it in § 467 of the New York State Real Property Tax Law) is equal to or exceeds the Annual Income amount of \$13,500 showing a 0% Reduction. Where the title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset, which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion or wear and tear of real or personal property held for the production of income.

Exemption Granted/Limitations on Exemption

Real property owned by a persons with a disabilities, as defined in §459-c of the Real Property Tax Law, whose income is limited by such disability and used as the legal principal residence of such person shall be entitled to a partial exemption from taxation to the extent shown below of the assessed valuation thereof as determined by the owner’s or owners’ corresponding annual income:

<u>Annual Income</u>			<u>Reduction</u>
\$0	to	\$13,500.00	50%
\$13,500.01	to	\$14,499.99	45%
\$14,500.00	to	\$15,499.99	40%
\$15,500.00	to	\$16,499.99	35%
\$16,500.00	to	\$17,399.99	30%
\$17,400.00	to	\$18,299.99	25%
\$18,300.00	to	\$19,199.99	20%
\$19,200.00	to	\$20,099.99	15%
\$20,100.00	to	\$20,999.99	10%
\$21,000.00	to	\$21,899.99	5%
\$21,900.00		or more	0%

This increase shall be effective with the 2023 assessment roll.

SECTION 5.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

SECTION 6. Effective Date

This local law shall take effect immediately on the 2023 assessment roll and upon filing with the 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. ____ of 2022 of the **Town of Bristol** was duly passed by the Bristol Town Board on _____, 2022, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer¹.)

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.

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__. 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)(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.

¹ 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 _____ 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 Town

(Seal)

Date: _____