

Local Law Filing

(Use this form to file a local law with the Secretary of State.)



FILE COPY

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 Victory _____

Local Law No. 1 of the year 2018

entitled: "Village of Victory Tax Levy Limit Override Local Law"

A local law _____
(Insert Title)

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

County City Town Village
(Select one.)

of Victory _____ as follows:

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

VILLAGE OF VICTORY

LOCAL LAW 1 OF 2018

**A LOCAL LAW TO AUTHORIZE THE BOARD OF
TRUSTEES TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c
FOR FISCAL YEAR 2018-2019**

BE IT ENACTED by the Board of Trustees of the Village of Victory as follows:

Section 1: Title

This Local Law shall be known as the “Village of Victory Tax Levy Limit Override Law of 2018”, and may be cited as Village of Victory Local Law No. 1 of 2018 (“VOV LL 1-2018”).

Section 2: Authority.

This local law is enacted pursuant to the authority of: (a) Municipal Home Rule Law Section 10 (1) (i), which authorizes a Village to adopt or amend a local law not inconsistent with the provisions of the Constitution or not inconsistent with any general law relating to its property, affairs or government; and (b) General Municipal Law Section 3-c, Subdivision (5), which expressly authorizes the Village Board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Village Board.

Section 3. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Village of Victory pursuant to General Municipal Law § 3-c, and to allow the Village of Victory to adopt a budget for the fiscal year 2018-2019 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 4. Tax Levy Limit Override.

The Board of Trustees of the Village of Victory, County of Saratoga, is hereby authorized

to adopt a budget for the fiscal year 2018-2019 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law, §3-c.

Section 5. Severability.

If any term or provision of this Local Law, or the application thereof to any person or circumstance, shall to any extent be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Local Law, or the application of such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Local Law shall be valid and be enforced to the fullest extent permitted by law.

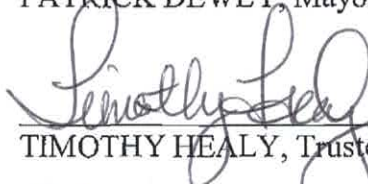
Section 6. Effective Date.

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

ENACTED this 3rd day of April, 2018 by the Board of Trustees of the Village of Victory, Saratoga County, New York.



PATRICK DEWEY, Mayor



TIMOTHY HEALY, Trustee



LESLIE DENNISON, Trustee

(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. 1 of 2018 of the ~~(County)(City)(Town)(Village)~~ of Victory was duly passed by the Board of Trustees on April 3 2018, 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 _____ 2018, 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*)*

* 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.

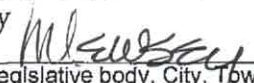
6. (County local law concerning adoption of Charter.)

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 1 above.

Village of Victory


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: April 3, 2018

(Seal)