

## Town of Berne

### Introductory Local Law No. 3 of the Year 2023

#### *“A Local Law to Override the Tax Levy Limit for Fiscal Year 2024”*

Be it enacted by the Town Board of the Town of Berne as follows:

**Section 1. TITLE AND AUTHORITY.** This Local Law is enacted pursuant to subdivision 5 of N.Y. General Municipal Law §3-c (the “Property Tax Cap Law”), which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

**Section 2. LEGISLATIVE INTENT.** The purpose of this local law is to permit the Town Board to override the tax levy limit on the amount of property taxes that may be levied by the Town of Berne pursuant to the Property Tax Cap Law, and to allow the Town to adopt a budget for Fiscal Year 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by the Property Tax Cap Law. Such override is necessary and in the best interests of the Town.

**Section 3. TAX LEVY LIMIT OVERRIDE.** The Town of Berne Town Board is hereby authorized to override the Tax Levy Limit established pursuant to N.Y. General Municipal Law §3-c, for Fiscal Year 2024, and to adopt a budget for Fiscal Year 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in N.Y. General Municipal Law §3-c.

**Section 4. SEVERABILITY.** If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section 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 order or judgment shall be rendered.

**Section 5. EFFECTIVE DATE.** This Local Law shall become effective upon filing with the Secretary of State of the State of New York as provided by the Municipal Home Rule Law.

Adopted this \_\_\_th day of \_\_\_\_ 2023.

By Order of the Berne Town Board

I, KRISTIN DE OLIVERIA, Town Clerk of the Town of Berne, Albany County, New York,  
DO HEREBY CERTIFY that the foregoing local law was approved by the Town Board of the  
Town of Berne on \_\_\_\_\_, 2023 and that the foregoing is a true and correct transcript  
of the original local law and of the whole thereof and that said original local law is on file in the  
Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the  
said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Berne this  
\_\_\_\_\_ day of \_\_\_\_\_, 2023.

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KRISTIN DE OLIVERIA, Town Clerk Town of Berne