

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(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~~

of Burke

Local Law No. 1 of the year 2002

A local law creating the position of sole elected assessor under Real  
(Insert Title)  
Property Tax Law Section 329

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

~~County~~

~~City~~

Town

~~Village~~

of Burke as follows:

SEE ATTACHED

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

**A LOCAL LAW CREATING THE POSITION OF SOLE ELECTED ASSESSOR  
UNDER REAL PROPERTY TAX LAW SECTION 329**

**1 Purpose.**

- 1.01 The Town Board of the Town of Burke finds that it is in the best interest of the taxpayers of the Town to create the position of Sole Elected Assessor to replace its current system of three elected assessors.

**2 Authority.**

- 2.01 This Local Law is enacted pursuant to the provisions of § 329 of the Real Property Tax Law of the State of New York and § 10, Article 2 of the Municipal Home Rule Law of the State of New York.

**3 Title.**

- 3.01 The title of this Law shall be, "A LOCAL LAW CREATING THE POSITION OF SOLE ELECTED ASSESSOR UNDER REAL PROPERTY TAX LAW SECTION 329."

**4 Creation of position of Sole Elected Assessor.**

- 4.01 From and after January 1, 2004 there shall be one assessor in and for the Town of Burke, who shall be first elected by the voters at the next general election to be held in November, 2003.

**5 Term of office**

- 5.01 The initial term of office of the position of Sole Elected Assessor shall expire on December 31, 2005.
- 5.02 Thereafter the term of office shall be six years, in conformance with the requirements of Real Property Tax Law section 310.

**6 Termination of term of office of all assessors currently in office.**

- 6.01 The term of office of all assessors of the Town of Burke currently holding office shall terminate on December 31, 2003.

**7 Permissive Referendum not required.**

- 7.01 The Town Board of the Town of Burke, exercising the discretion authorized pursuant to Real Property Tax Law section 329, hereby determines that this local law shall not be subject to permissive referendum.

**8 Effective Date.**

- 8.01 This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(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 20-02- of the ~~(County)(City)(Town)(Village)~~ of Burke \_\_\_\_\_ was duly passed by the \_\_\_\_\_ Town Board \_\_\_\_\_ on 08/13 20-02 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\*)~~ x

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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. ~~(Final adoption by referendum)~~ x x

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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

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.  
(Name of Legislative Body)  
(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.





received  
12/18/02

STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

GEORGE E. PATAKI  
GOVERNOR

RANDY A. DANIELS  
SECRETARY OF STATE

December 13, 2002

BRIAN S. STEWART  
ATTORNEY AT LAW  
31 ELM STREET PO Box 788  
MALONE, NY 12953

RE: Town of Burke, Local Law 1, 2002, filed 11/22/2002

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

*Linda Lasch*

Linda Lasch  
Principal Clerk  
State Records & Law Bureau  
(518) 474-2755