

# 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 of

Burke

Town

Village

Local Law No. 3 of the year 20 05

A local law PROVIDING FOR THE ALTERNATE VETERANS EXEMPTION FROM REAL  
(Insert Title)  
PROPERTY TAXATION, TAX LAW SECTIN 458-a FOR VETERANS  
AND OTHER QUALIFYING INDIVIDUALS RESIDING IN THE TOWN OF BURKE

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

County

City of

Burke

Town

Village

as follows:

# See Attached

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

**LOCAL LAW 3 OF 2005**  
**TOWN OF BURKE**  
**PROVIDING FOR THE ALTERNATIVE VETERANS**  
**EXEMPTION FROM REAL PROPERTY TAXATION**  
**TAX LAW SECTION 458-a FOR VETERANS AND OTHER**  
**QUALIFYING INDIVIDUALS RESIDING IN THE TOWN OF BURKE**

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

**SECTION 1 Purpose:** This Local Law is to repeal and rescind Local Law No. 1 of 1984 and provide for the alternative veterans tax exemption from Real Property Taxation, Tax Law section 458-a for Veterans and other qualifying individuals residing in the Town of BURKE.

**SECTION 2 Maximum Exemptions From Real Property Taxes:** Pursuant to Subdivision 2 (d) (ii) of section 458-a of the Real Property Tax Law, the maximum allowable exemptions from real property taxes provided for Veterans and other qualifying individuals residing in the Town of BURKE, under paragraph (a), (b) and (c) of subdivision 2 of that Section shall be the following maximums:

Paragraph (a) Wartime Veteran - 15% of assessed value to a maximum of \$12,000.

Paragraph (b) Combat Veteran - 10% of assessed value to a maximum of \$8,000.

Paragraph (c) Disabled Veteran - 50% of disability rating to a maximum of \$40,000.

**SECTION 3** This Local Law shall take effect when it is filed with the Secretary of State, but the exemptions provided hereby shall not be available until the property taxable year, pursuant to Section 458-a of the Real Property Tax 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. 3 of 20 05 of the ~~(County)~~(City)(Town)(Village) of Burke was duly passed by the Town Board on October 25, 20 05, 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 \_\_\_\_\_. (Elective Chief Executive Officer\*) 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 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.

(Seal)

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

Date: October 25, 2005

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF Franklin

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Brian S. Stewart, Attorney for Town

Title

~~County~~

~~City~~ of Burke

Town

~~Village~~

Date: \_\_\_\_\_



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

received  
11/28/05

November 21, 2005

GEORGE E. PATAKI  
GOVERNOR

Brian S Stewart  
Hughes & Stewart PC  
31 Elm Street  
PO Box 788  
Malone NY 12953

**RE: Town of Burke, Local Law 3, 2005 filed on October 31, 2005**

To Whom It May Concern:

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