

Local Law No. 2-2012  
Village Of Pelham

Be it enacted by the Mayor and Board of the Village Of Pelham as follows:

A local law to override the tax levy limit established in General Municipal Law 3-c

**Section 1. Legislative Intent**

It is the intent of this local law to override the limit on the amount of the of real property taxes that may be levied by the Village Of Pelham within the Village Of Pelham pursuant to General Municipal Law §3-c.

It is the determination of the Village Board of the Village Of Pelham that the property tax cap recently enacted by the State Legislature is unfair to the residents of the Village Of Pelham and would severely curtail the ability of the Village Of Pelham to provide necessary services to the Village residents. It also is the determination of the Village Of Pelham Board that to meet the dates by which the 2012 budget must by State law be adopted, the Village Board of the Village Of Pelham requires the flexibility which this local law would provide. Thus, it is in the best interests of the Village Of Pelham and its residents, that the within Local Law be enacted

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Village Board to override the tax cap for the Village Of Pelham by the adoption of a local law approved by vote of sixty percent (60%) of the Village Board.

**Section 3. Tax Levy Limit Override**

The Village Board of the Village Of Pelham, County of Westchester is hereby authorized to adopt a budget for the Village Of Pelham for the fiscal year 2012 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

#### **Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudicated 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 the clause, sentence, paragraph, subdivision, 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 judgment or order shall be rendered.

#### **Section 5. Effective Date**

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