



Danny Condella, Mayor  
Kevin McLoud, Deputy Mayor  
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## ***NOTICE OF PUBLIC HEARING***

**VILLAGE OF PENN YAN  
COUNTY OF YATES**

Proposed Local Law to authorize a real property tax levy in excess of the limit established by General Municipal Law (GML) §3-c.

Notice is hereby given that a Public Hearing by the Board of Trustees of the Village of Penn Yan, County of Yates, State of New York, will be held at the Village Hall, 111 Elm Street, Penn Yan, New York, on the 20th day of February, 2024, at 6:10 p.m. upon the proposed Local Law to authorize a real property tax levy in excess of the limit established by General Municipal Law (GML) §3-c

The effect will be to exempt the Village of Penn Yan from the so called "Tax Cap Law", for the fiscal year 2024-2025 but not necessarily result in any tax increase exceeding the tax cap limit for the Village for 2024-2025.

The Village Hall is in compliance with accessibility standards of the Americans With Disabilities Act. Any person with a handicap wishing to attend and/or be heard at the public hearing should contact the Village Clerk's Office at least five (5) business days prior to the date of the public hearing to request any special needs.

All persons interested in this proposed Local Law will be heard by the Board of Trustees at the Public Hearing to be held as stated above. Copies of the proposed Local Law are available at the Office of the Clerk of the Village of Penn Yan, 111 Elm Street, Penn Yan, NY 14527 during regular business hours. A copy of the proposed Local Law may also be examined on the Village website [www.villageofpennyan.com](http://www.villageofpennyan.com).

Holly Easling, Village Clerk/Treasurer  
Village of Penn Yan

*Local Law Filing*

STATE

162 WASHINGTON AVENUE, ALBANY, NY 12231

NEW YORK STATE DEPARTMENT OF

**(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.

Village of Penn Yan

Proposed Local Law B of the year 2024

A Local Law authorizing a real property tax levy in excess of the limit established in General Municipal Law Section 3-c.

Be it enacted by the Village of Penn Yan as follows:

**Section 1. Short Title.**

This Local Law shall hereafter be known as the “Village of Penn Yan Tax Cap Override Law of 2024.”

**Section 2. Legislative Intent**

The intent of this Local Law is to allow the Village of Penn Yan to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

**Section 3. Legislative Authority.**

This Local Law is enacted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a Local Law approved by a vote of sixty percent (60%) of said governing body.

**Section 4. Provision.**

**Chapter 180 “Taxation” of the Code of the Village of Penn Yan Is Amended By Adding the Following:**

**Article VI**

**General Municipal Law §3-c. Tax Cap Override**

**§180-60. Is amended to provide as follows:**

**§180-60. Tax Cap Override.**

The Board of Trustees of the Village of Penn Yan, County of Yates is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed pursuant to General Municipal §3-c.

**Section 5. Severability.**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair or invalidate the remainder of this Local Law, 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 6. Effective date.**

This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York, subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

*(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. of the year 2024, was duly passed by the Board of Trustees of the Village of Penn Yan on February , 2024 in accordance with the applicable provisions of law.**

**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.**

\_\_\_\_\_  
Holly Easling, Clerk/Treasurer

(SEAL)

Date:

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

STATE OF NEW YORK)  
COUNTY YATES ) ss:

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.

\_\_\_\_\_  
Edward J. Brockman, Village Attorney

Village of Penn Yan

Date: