

**TOWN OF FENNER
RESOLUTION 2024-13
TO ACCEPT
LOCAL LAW NO. A OF 2024**

**A LOCAL LAW ESTABLISHING A TAX EXEMPTION ON REAL PROPERTY
OWNED BY PERSONS SIXTY-FIVE YEARS OF AGE OR OVER PURSUANT TO
REAL PROPERTY TAX LAW § 467**

Be it enacted by the Town of Fenner Town Board, as follows:

SECTION 1. LEGISLATIVE INTENT.

The Town Board of the Town of Fenner being ever mindful of its responsibility and obligation to provide for the welfare and financial independence of the senior citizens of the Town who have made a vital contribution to the growth, development, and progress of the community, intends by the enactment of this Local Law to provide protection for limited income senior citizen homeowners from the increased cost of living.

The purpose of this Local Law is to grant the exemptions from taxation in accordance with the criteria set forth in New York State Real Property Tax Law § 467.

SECTION 2. AUTHORITY.

The adoption of this Local Law is in accordance with Section 10 of New York's Municipal Home Rule Law and New York Real Property Tax Law § 467.

SECTION 3. EXEMPTION FROM REAL PROPERTY TAXES FOR QUALIFYING PERSONS SIXTY-FIVE YEARS OF AGE OR OVER IN THE TOWN OF FENNER.

A. Real property in the Town of Fenner owned by one or more persons, each of whom is 65 years of age or over, or real property owned by spouses or by siblings as defined by Real Property Tax Law § 467, one of whom is 65 years of age or over, shall be exempt from taxation by the Town to an extent as set forth in Subsection B of this Section based on their income. Such exemption shall also apply to real property in which a person(s) holds a legal life estate, or which is held in trust solely for the benefit of a person(s) if such person(s) would otherwise be eligible for the exemption were such person(s) the owner(s) of such real property.

B. A graduated tax exemption shall be allowed in accordance with the following schedule:

Annual Income	Percentage Assessed Valuation Exempt From Taxation
\$50,000.00	50%

More than \$50,000.00 but less than \$51,000.00	45%
\$51,000.00 or more but less than \$52,000.00	40%
\$52,000.00 or more but less than \$53,000.00	35%
\$53,000.00 or more but less than \$53,900.00	30%
\$53,900.00 or more but less than \$54,800.00	25%
\$54,800.00 or more but less than \$55,700.00	20%
\$55,700.00 or more but less than \$56,600.00	15%
\$56,600.00 or more but less than \$57,500.00	10%
\$57,500.00 or more but less than \$58,400.00	5%

SECTION 4. COMPATABILITY WITH REAL PROPERTY TAX LAW § 467.

The right to said exemption set forth in this Local Law, the procedures for application therefor and the restrictions and limitations thereon shall be as set forth in this Local Law in accordance with the terms, procedures, restrictions and limitations set forth in the Real Property Tax Law § 467. The exemption, the procedures for application therefor and the restrictions and limitations thereon as set forth in Real Property Tax Law § 467, as amended, and as from time to time shall be amended, are hereby incorporated by reference into this Local Law. If any provisions of this Local Law are in conflict with those set forth in Real Property Tax Law § 467, Real Property Tax Law § 467 shall be controlling.

SECTION 5. VALIDITY AND SEVERABILITY.

If any clause, sentence, paragraph, section, or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such 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.

SECTION 6. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

David Jones, Town Supervisor

Date