

# LOCAL LAW NO. 1 of 2023

## BOARD OF TRUSTEES VILLAGE OF OCEAN BEACH

A local law to amend Chapter 6, Sections 6-1 through 6-5 of the Code of the Village of Ocean Beach

**BE IT ENACTED**, by the Board of Trustees of the Incorporated Village of Ocean Beach, to adopt a local law to override the tax levy limit established in General Municipal Law §3-c, as follows:

1. Chapter 6, Sections 6-1 through 6-5 are hereby created to read as follows:

### Chapter 6

#### REAL PROPERTY TAX LEVY LIMIT OVERRIDE

§ 6 - 1. Legislative Intent

§ 6 - 2. Authority

§ 6 - 3. Tax Levy Limit Override.

§ 6 - 4. Severability.

§ 6 - 5. NYSEQRA.

§ 6 - 6. Effective date.

#### Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Ocean Beach to adopt a budget for the fiscal year commencing June 1, 2023 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

#### Section 2. Authority

This local law is adopted 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 3. Tax Levy Limit Override

The Board of Trustees of the Village of Ocean Beach, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

#### Section 4. 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 5. New York State Environmental Quality Review Act (NYSEQRA)

The Board of Trustees hereby declares the adoption of this Local Law a Type II action, pursuant to the NYSEQRA and, therefore, no further environmental review is required.

#### Section 6. Effective date

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