

LOCAL LAW #1 For The Year 2018

In The Town of Conquest, NY

SECTION ONE: Purpose.

This Local Law shall supersede Local Law No. 2 for the Year 2011, which shall be hereby terminated and discontinued.

The purpose of this Article is to grant cold war veterans who meet the requirements set forth in Section 458-b of the New York State Real Property Tax Law with a real property tax exemption.

SECTION TWO: Definitions.

As used in this Article:

COLD WAR VETERAN – means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-six, nineteen hundred ninety-one, was discharged or released therefrom under honorable conditions and satisfies any other requirements set forth in Section 458-b(1)(a) of the New York Real Property Tax Law.

ARMED FORCES – means the United States Army, Navy, Marine Corps, Air Force, and Coast Guard.

ACTIVE DUTY – means full-time duty in the United States armed forces, other than active duty training.

SERVICE CONNECTED – means with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service.

QUALIFIED OWNER – means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined.

Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.

QUALIFIED RESIDENTIAL REAL PROPERTY – means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other

purposes, such portion shall be subject to taxation and only the remaining portions used exclusively for residential purposes shall be subject to the exemption provided by this Section.

Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran, unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization subject to such time limitations, if any, as are set forth in Section 458-b(1)(f) of the New York State Real Property Tax Law.

LATEST CLASS RATIO – means the latest final class ratio established by the New York State Board of Real Property Tax Services pursuant to Article Twelve of the New York State Real Property Tax Law for use in a special assessing unit as defined in Section 1801 of the New York State Real Property Tax Law.

SECTION THREE: Amount of Exemption; Limitations.

A. Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent (15%) of the assessed value of such property; provided however, that such exemption shall not exceed Twelve Thousand (\$12,000) Dollars or the product of Twelve Thousand (\$12,000) Dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

B. In addition to the exemption provided by subdivision “A” of this Section, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service related disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed Forty (\$40,000) Dollars or the product of Forty Thousand(\$40,000) Dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whoever is less.

C. If a Cold War veteran receives either a veterans’ exemption under Section 458 of the Real Property Tax Law, or an alternative veterans’ exemption under Article IV of this Chapter, authorized by Section 458-a of the Real Property Tax Law, the Cold War veteran shall not be eligible to receive an exemption under this Article.

SECTION FOUR: Duration of Exemption.

A. The exception provided by subdivision A of this article shall be granted for qualifying owners of qualifying real property for as long as they remain qualifying owners without regard to any ten (10) year limitation previously imposed by this body.

SECTION FIVE: Application for Exemption.

Application for the exemption set forth in this Article shall be made by the qualified owner, or all of the qualified owners, of the property on a form prescribed by the New York State Board of Real Property Tax Services. The owner or owners shall file the completed form in their local assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to re-file at such times and under such circumstances as may be set forth in Section 458-b(4) of the New York State Real Property Tax Law. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the New York State Penal Law.

SECTION SIX: This Local Law shall take effect upon its filing in the office of the Secretary of State and shall apply to assessment rolls based on taxable status dates occurring on or after such date.