

Local Law Filing

(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.

County

City of Cayuga

Town

Village

Local Law No. 5 of the year 2007

A local law AMENDING LOCAL LAW NO. 3 OF 1994 TO INCREASE THE RATE OF THE
(Insert Title)
HOTEL/MOTEL ROOM TAX TO FIVE PERCENT (5%) IN CAYUGA COUNTY, AND ALSO

AUTHORIZE CAYUGA COUNTY TO USE ALL OR PART OF THE MONEY IN THE SPECIAL
FUND TO PAY A SINGLE NOT FOR PROFIT CORPORATION TO PROMOTE TOURISM AND
CONVENTION DEVELOPMENT IN THE COUNTY.

Be it enacted by the Cayuga County Legislature of the
(Name of Legislative Body)

County

City of Cayuga as follows:

Town

Village

(Delete this line of text and enter text of local law here)

(If additional space is needed, attach pages the same size as this sheet, and number each.)

STATE OF NEW YORK
COUNTY OF CAYUGA

LOCAL LAW NO. 5 OF 2007

A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 1994 TO INCREASE THE RATE OF THE HOTEL/MOTEL ROOM TAX TO FIVE PERCENT (5%) IN CAYUGA COUNTY, AND ALSO AUTHORIZE CAYUGA COUNTY TO USE ALL OR PART OF THE MONEY IN THE SPECIAL FUND TO PAY A SINGLE NOT-FOR-PROFIT CORPORATION TO PROMOTE TOURISM AND CONVENTION DEVELOPMENT IN THE COUNTY.

BE IT ENACTED by the Cayuga County Legislature of the County of Cayuga as follows:

Section 1. Local Law No. 3 of the year 1994 entitled "A Local Law Imposing A Tax On The Occupancy Of Hotel Rooms Pursuant To Chapter 533 Of The Laws Of 1994 Of The State Of New York" is hereby amended as follows:

Section 1. Subdivision 2 of Local Law No. 3 of the year 1994 is amended to read as follows:

2. Imposition of Tax. On and after the first day of January, nineteen hundred ninety-five, there is hereby imposed and there shall be paid a tax of three percent upon the rent for every occupancy of a room or rooms in a hotel in this county except that the tax shall not be imposed upon (1) a permanent resident, or (2) where the rent is not more than four dollars per day. Notwithstanding any other provisions of law to the contrary, the rates of such tax shall be FIVE percent of the per diem rental rate for each room provided, however, such tax shall not be applicable to a permanent resident of a hotel or motel. For the purposes of this section the term "permanent resident" shall mean a person occupying any room or rooms in a hotel or motel for at least thirty consecutive days.

Section 2. Subdivision 12 of Local Law No. 3 of the year 1994, is amended to read as follows:

12. Disposition of Revenues. All revenues resulting from the imposition of the tax authorized by this section shall be paid to the treasurer of the county and shall be credited to and deposited into a special fund of the county dedicated to tourism development and promotion, thereafter to be used only for tourism promotion and convention development; provided, however, that the county shall be authorized to retain five percent revenue from such tax to defer the necessary expenses incurred by the county in administering such tax; provided further the county is authorized to use all or part of the money in the special fund to pay a single not-for-profit corporation, pursuant to a contract with the county, to do tourism promotion and convention development in the county. "Tourist promotion and convention development" is defined as costs related to advertising the county, retaining of staff to promote tourism and other tourism or convention costs recommended by said staff.

Section 2. Said Local Law No. 3 of the year 1994 shall remain unchanged in all other respects and is hereby so ratified.

Section 3. This Local Law shall take effect immediately upon its filing with the Secretary of State.

(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. 5 of 20 07 of the (County)(City)(Town)(Village) of Cayuga was duly passed by the Cayuga County Legislature on July 24 2007, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) _____ and was deemed duly adopted (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20 _____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) _____ on _____ 20 _____. (repassed after disapproval) by the _____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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 _____, above.

Leo Brew

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 25, 2007

(Seal)

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

STATE OF NEW YORK
COUNTY OF Cayuga

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.

Frederick R. W. ...

Signature

County Attorney

Title

County CAYUGA

City of _____

Town _____

Village _____

Date: July 25, 2007

COUNTY OF CAYUGA
CAYUGA COUNTY LEGISLATURE
NOTICE OF ADOPTION OF A LOCAL LAW

RESOLUTION NO. 481-07

(7/24/07)

LL#3-94AMD-INC.RMTXto5%ADP

TO ADOPT LOCAL LAW NO. 5 FOR THE YEAR 2007, AMENDING LOCAL LAW NO. 3 OF 1994 TO INCREASE THE RATE OF THE HOTEL/MOTEL ROOM TAX TO 5% IN CAYUGA COUNTY, AND ALSO AUTHORIZE CAYUGA COUNTY TO USE ALL OR PART OF THE MONEY IN THE SPECIAL FUND TO PAY A SINGLE NOT-FOR-PROFIT CORPORATION TO PROMOTE TOURISM AND CONVENTION DEVELOPMENT IN THE COUNTY.

BY: **MR. SCHUSTER**, Chairman, Planning & Economic Development Committee, and
MR. DUDLEY, Chairman, Ways & Means Committee.

WHEREAS, Local Law No. 5 for the year 2007 was presented to the Cayuga County Legislature on the 26th day of June, 2007; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 5 for 2007 on July 24, 2007 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 5 for 2007, amending Local Law No. 3 of 1994 to increase the rate of the Hotel/Motel Room Tax to 5% in Cayuga County, and also authorize Cayuga County to use all or part of the money in the Special Fund to pay a single not-for-profit corporation to promote tourism and convention development in the County; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the said Local Law in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date.

Adopted July 24, 2007

Certified By: Lee Brew, Clerk
Cayuga County Legislature

Please publish one (1) time per week for two weeks as a classified legal notice



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

RECEIVED

AUG 13 2007

Cayuga County Legislature
Auburn, NY

ELIOT SPITZER
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

August 13, 2007

County of Cayuga

RE: County of Cayuga, Local Law No. 5, 2007 , filed on July 30, 2007

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,
Linda Lasch
Principal Clerk
State Records & Law Bureau
(518) 474-2755

FAX/ACKNOWLEDGEMENT/PROOF COPY

WAYUGA PRESS, RED CREEK, NY 13143-0199 - Voice 315-754-6229 - FAX 315-754-6431

email your legals to legals@wayuga.com

WEDNESDAY issue date - 08/01/07 week(s)

\$15.00 charge for each Affidavit of Publication

We must be notified by written fax for any cancellations prior to start date as above, (deadline Fridays at 5 p.m.)

TOTAL COST \$

Publishers of the **WAYNE COUNTY STAR - POST-HERALD**

TO: SHEILA SMITH

COUNTY OF CAYUGA

CAYUGA COUNTY

LEGISLATURE

NOTICE OF

ADOPTION

OF A LOCAL LAW

RESOLUTION NO. 481-07

(7/24/07) LL#3-94AMD-INC.

RMTXto5%ADP

TO ADOPT LOCAL LAW NO. 5 FOR THE YEAR 2007, AMENDING LOCAL LAW NO. 3 OF 1994 TO INCREASE THE RATE OF THE HOTEL/MOTEL ROOM TAX TO 5% IN CAYUGA COUNTY, AND ALSO AUTHORIZE CAYUGA COUNTY TO USE ALL OR PART OF THE MONEY IN THE SPECIAL FUND TO PAY A SINGLE NOT-FOR-PROFIT CORPORATION TO PROMOTE TOURISM AND CONVENTION DEVELOPMENT IN THE COUNTY.

BY: MR. SCHUSTER, Chairman, Planning & Economic Development Committee, and MR. DUDLEY, Chairman, Ways & Means Committee.

WHEREAS, Local Law No. 5 for the year 2007 was presented to the Cayuga County Legislature on the 26th day of June, 2007; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 5 for 2007 on July 24, 2007 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 5 for 2007, amending Local Law No. 3 of 1994 to increase the rate of the Hotel/Motel Room Tax to 5% in Cayuga County, and also authorize Cayuga County to use all or part of the money in the Special Fund to pay a single not-for-profit corporation to promote tourism and convention development in the County; and be it

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the said Local Law in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date.

Adopted July 24, 2007

Certified By: Lee Brew, Clerk

Cayuga County Legislature

STATE OF NEW YORK

COUNTY OF CAYUGA

LOCAL LAW NO. 5 OF 2007

A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 1994 TO INCREASE THE RATE OF THE HOTEL/MOTEL ROOM TAX TO FIVE PERCENT (5%) IN CAYUGA COUNTY, AND ALSO AUTHORIZE CAYUGA COUNTY TO USE ALL OR PART OF THE MONEY IN THE SPECIAL FUND TO PAY A SINGLE NOT-FOR-PROFIT CORPORATION TO PROMOTE TOURISM AND CONVENTION DEVELOPMENT IN THE COUNTY.

BE IT ENACTED by the Cayuga County Legislature of the County of Cayuga as follows:

Section 1. Local Law No. 3 of the year 1994 entitled "A Local Law Imposing A Tax On The Occupancy Of Hotel Rooms Pursuant To Chapter 533 Of The Laws Of 1994 Of The State Of New York" is hereby amended as follows:

Section 1. Subdivision 2 of Local Law No. 3 of the year 1994 is amended to read as follows:

2. **Imposition of Tax.** On and after the first day of January, nineteen hundred ninety-five, there is hereby imposed and there shall be paid a tax of three percent upon the rent for every occupancy of a room or rooms in a hotel in this county except that the tax shall not be imposed upon (1) a permanent resident, or (2) where the rent is not more than four dollars per day. Notwithstanding

any other provisions of law to the contrary, the rates of such tax shall be FIVE percent of the per diem rental rate for each room provided, however, such tax shall not be applicable to a permanent resident of a hotel or motel. For the purposes of this section the term "permanent resident" shall mean a person occupying any room or rooms in a hotel or motel for at least thirty consecutive days.

Section 2. Subdivision 12 of Local Law No. 3 of the year 1994, is amended to read as follows:

12. **Disposition of Revenues.** All revenues resulting from the imposition of the tax authorized by this section shall be paid to the treasurer of the county and shall be credited to and deposited into a special fund of the county dedicated to tourism development and promotion, thereafter to be used only for tourism promotion and convention development; provided, however, that the county shall be authorized to retain five percent revenue from such tax to defer the necessary expenses incurred by the county in administering such tax; provided further the county is authorized to use all or part of the money in the special fund to pay a single not-for-profit corporation pursuant to a contract with the county to do tourism promotion and convention development in the county. "Tourist promotion and convention development" is defined as costs related to advertising the county, retaining of staff to promote tourism and other tourism or convention costs recommended by said staff.

Section 2. Said Local Law No. 3 of the year 1994 shall remain unchanged in all other respects and is hereby so ratified.

Section 3. This Local Law shall take effect immediately upon its filing with the Secretary of State.

8/1-8/8/w2p

RESOLUTION NO.

(7/24/07) COA-LLAdpgNot-PolForCyberSecFix

FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW ADOPTING A NOTIFICATION POLICY PURSUANT TO SECTION 208 OF THE STATE TECHNOLOGY LAW.

BY: MR. CUDDEBACK, Chairman, Public Works Committee, and MR. MITCHELL, Chairman Government Operations Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on July 24, 2007, a proposed Local Law entitled:

"A LOCAL LAW ADOPTING A NOTIFICATION POLICY PURSUANT TO SECTION 208 OF THE STATE TECHNOLOGY LAW."

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on August 28, 2007 at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

PLEASE NOTIFY THE CLERK OF THE LEGISLATURE 24 HOURS IN ADVANCE IF YOU NEED ANY SPECIAL EQUIPMENT FOR THIS MEETING.

IF YOU HAVE A DISABILITY AND NEED ACCOMMODATIONS, PLEASE CALL CAYUGA COUNTY AT 253-1308 BY AUGUST 22, 2007 TO ADVISE WHAT ACCOMMODATIONS WILL BE NECESSARY.

8/1/w1p

THANKS FOR THE EMAIL - IT'S A GREAT HELP!

Deadlines: EVERY FRIDAY 5 PM for the next Wednesday edition, Monday/Tuesday/Wednesday Holidays - Friday Noon