

TOWN OF RIVERHEAD

Resolution # 178

**ADOPTS A LOCAL LAW AMENDING CHAPTER 95 ENTITLED
"TAXATION" OF THE RIVERHEAD TOWN CODE
(§95-36 Exemptions granted & §95-38 Unremarried spouses of
volunteer ambulance workers killed in line of duty)**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 95 entitled "Taxation" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of February, 2012 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 95 entitled "Taxation" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio Yes No Gabrielsen ABSENT
Wooten Yes No Dunleavy ABSENT
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 95 entitled "Taxation", of the Riverhead Town Code at its meeting held on February 28, 2012. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 95
TAXATION**

**ARTICLE VIII. Exemption for Volunteer Fire Fighters and
Volunteer Ambulance Workers**

§95-36. Exemptions granted.

G. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within such a county provided that the governing body of a city, village, town, county or school district, after a public hearing, adopted a local law, ordinance or resolution providing therefor.

§95-38. Unremarried spouses of volunteer firefighters or volunteer ambulance workers killed in line of duty.

Any local law or ordinance adopted Pursuant to and consistent with §§ 466, 466-a, 466-b, 466-c, 466-d or 466-e 466-f of the New York State Real Property Tax Law may be amended, or a local law, ordinance or resolution may be adopted, the Town Board hereby grants an exemption to an unremarried spouse of a deceased enrolled member to continue any exempted claimed under such statutes by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated volunteer ambulance service, to such deceased enrolled member's unremarried spouse if such member is killed in the line of duty; provided, however, that:

A. Such unremarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated volunteer ambulance service as an unremarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and

B. Such deceased volunteer had been an enrolled member for at least five years; and

C. Such deceased volunteer had been receiving the exemption prior to his or her death.

§95-38.1. Unremarried spouses of deceased volunteer firefighters or volunteer ambulance workers.

Pursuant to and consistent with § 466-h of the New York State Real Property Tax Law, the Town Board does hereby grant a continuation of ~~Any local law or ordinance adopted pursuant to §§ 466, 466-a, 466-b, 466-c, 466-d, 466-e, 466-f or 466-g of the New York State Real Property Tax Law may be separately amended, or a local law, ordinance or resolution may be separately adopted, to continue an exemption or reinstate a preexisting exemption to an unremarried spouse of a deceased enrolled member of the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; provided, however, that:~~

A. Such unremarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated volunteer ambulance service as an unremarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service.

B. Such deceased volunteer had been an enrolled member for at least 20 years.

C. Such deceased volunteer and unremarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

- Underline represents addition(s)
- Strikethrough represents deletion(s)

Dated: Riverhead, New York
February 28, 2012

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk