

**LOCAL LAW NUMBER 1 FOR THE YEAR 2006
OF THE TOWN OF BRASHER, NEW YORK**

**ADOPTING PROPOSED LOCAL LAW ONE FOR THE YEAR 2006, EXEMPTIONS FOR
CERTAIN MEMBERS OF VOLUNTEER FIRE COMPANIES AND AMBULANCE SERVICES IN THE
TOWN OF BRASHER**

**LOCAL LAW ONE FOR THE YEAR 2006,
TO ALLOW ENROLLED VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE
WORKERS TO BE ELIGIBLE FOR A REAL PROPERTY TAX EXEMPTION
UNDER RPTL**

BE IT ENACTED by the Town Board of the Town of Brasher as follows:

Section 1. Town intent. The Town of Brasher recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well being of our communities. The Town hereby finds that it is in the best social and economic interests of the Town of Brasher to encourage volunteerism for said purposes. To that end, by providing the following exemption it is the intent to so encourage volunteerism for our various fire and ambulance companies.

Section 2. Exemptions for certain volunteer firefighters and ambulance workers.

(a) Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the Town of Brasher shall be exempt from taxation to the extent of ten percent of the assessed value of such property for count purposes, exclusive of special assessments, provided however, that such exemption shall in no event exceed \$3,000 multiplied by the latest state equalization rate for the assessing unit in which such real property is located.

(b) Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in such town unless:

- (i) the applicant resides in the town which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- (ii) the property is the primary residence of the applicant;
- (iii) the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;

- (iv) the incorporated volunteer fire company or fire department and incorporated voluntary ambulance service has submitted to the St. Lawrence County Emergency Services a complete list of enrolled members, with their respective dates of service for such incorporated voluntary fire company, or fire department, or incorporated voluntary ambulance service. The St. Lawrence County Director of Emergency Services shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption;
and
- (v) "The applicant has not less than five (5) uninterrupted full calendar years of enrolled member service to such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service immediately preceding the date of application."

(c) Application for such exemption shall be filed with the assessor on or before the taxable status date on a form as prescribed by the state board.

(d) No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of this article on the effective date of this section shall suffer any diminution of such benefit because of the provisions of this section.

(e) 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 the state.

Section 3. Effective date. This act shall take effect immediately and shall apply to real property having a taxable status date on or after the first day of January 2006 next succeeding the date on which this act shall become law.

DATED: January 13, 2006

**By order of the Town Board
Town of Brasher, New York
Ellen Fukes, Town Clerk**

