

**LOCAL LAW NO. 3 - 2009**  
**OF THE VILLAGE OF RUSHVILLE**  
**ONTARIO AND YATES COUNTIES, NEW YORK**

A Local Law to amend Local Law No. 1-2009 which was enacted to provide for Real Property Tax Exemption for Real Property Owned by Persons 65 Years of Age or over as defined in Section 467 of the Real Property Tax Law.

Be it enacted by the Board of Trustees of the Village of Rushville as follows:

1. The title of the local law shall be “A Local Law of the Village of Rushville for Real Property Tax Exemption for Real Property Owned by One or More Persons Sixty-Five Years of Age or Over.”
2. The effect of this Local Law is amend Local Law No. 1-2009 to revise the maximum levels of exemption for real property owned by one or more persons age sixty-five or over as defined in section 467 of the Real Property Tax Law.
3. In order to qualify by age for the real property tax assessment exemption pursuant to this Local Law and as set forth in Section 467 of the Real Property Tax Law, all owners of the real property must be age 65 or older, or if the real property is owned by husband and wife or by siblings, one of whom must be age 65 or older, or if real property is owned by one or more persons some of whom qualify under Section 467 of the Real Property Tax Law, all as of December 31 of the tax year for which such application for exemption is being made, provided that the application is submitted prior to Taxable Status Date applicable to the Village of Rushville.
4. Limitations on Exemption: The income eligibility sliding scale set forth under section 467 (b)(1) (b)(2) and (b)(3) of the Real Property Tax Law shall continue for property owners exceeding the \$11,650.00 income level as follows:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exemption From Taxation</u>
\$0 to \$11,650	50%
\$11,650.01 to \$12,649.99	45%
\$12,650.00 to \$13,649.99	40%
\$13,650.00 to \$14,649.99	35%
\$14,650.00 to \$15,549.99	30%
\$15,550.00 to \$16,449.99	25%

\$16,450.00 to \$17,349.99	20%
\$17,350.00 to \$18,249.99	15%
\$18,250.00 to \$19,149.99	10%
\$19,150.00 to \$20,049.99	5%
\$20,050.00 or more	0%

Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

5. This Local Law shall be effective for the 2009 assessment roll and shall be applicable to any application therefore, whether such application is made prior to or subsequent to the effective date of this Local Law, provided that such application is duly made by the respective filing deadline.
6. This Local Law is enacted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and the applicable provisions of the New York State Real Property Tax Law.
7. This local law shall take effect upon its proper filing with the Office of the Secretary of State.

ADOPTED: FEBRUARY 9, 2009

**FILED NYS DOS 02/19/2009**