

Warren County Board of Supervisors

RESOLUTION NO. 754 OF 2011

Resolution introduced by Supervisors Kenny, Merlino, Bentley, Champagne, Goodspeed, McCoy and Conover

TO ENACT LOCAL LAW NO. 13 OF 2011

WHEREAS, a proposed Local Law was duly presented to the Board of Supervisors and considered by them, said proposed Local Law being entitled, "A Local Law Amending Local Law No. 3 of 2006 - the Warren County Occupancy Tax Law - to revise Section 16 - Disposition of Revenues", and

WHEREAS, the Board of Supervisors adopted Resolution No. 645 of 2011 on November 18, 2011, authorizing a public hearing to be held by the Board of Supervisors on the 16th day of December, 2011, at the Supervisors' Room in the Warren County Municipal Center on the matter of the proposed Local Law, and notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing desiring to be heard, having been heard, now, therefore, be it

RESOLVED, the Board of Supervisors of the County of Warren, New York, on this 16th day of December, 2011, does hereby enact and adopt Local Law No. 13 of 2011 as set forth in Schedule "A" annexed hereto, and be it further

RESOLVED, that the Chairman of the Board of Supervisors, Clerk of the Board of Supervisors, County Administrator and County Attorney are hereby authorized to make such minor modifications to the Local Law as deemed necessary, and are authorized to execute, file and publish the Local Law and take all necessary actions for the promulgation thereof.

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SCHEDULE "A"

COUNTY OF WARREN

LOCAL LAW NO. 13 OF 2011

"A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2006 - THE WARREN COUNTY OCCUPANCY TAX LAW - TO REVISE SECTION 16 - DISPOSITION OF REVENUES"

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

Section 1. Title & Statement of Intent.

This local law shall be titled " A Local Law amending Local Law No. 3 of 2006 - The Warren County Occupancy Tax Law - to revise Section 16 - Disposition of Revenues." The purpose and intent of this local law is to modify and reduce the percentage of revenues derived from Occupancy Tax that Warren County may retain to administer the Occupancy Tax from ten percent (10%) to three percent (3%).

Section 2. Effect on Prior Local Laws.

Except as expressly modified herein, Local Law No. 3 of 2006, and as such Local Law was previously amended by Local Law No. 10 of 2006 shall remain as is and in full force and effect.

Section 3. Authority.

The authority to modify Section 16 of Local Law No. 3 of 2006 exists by virtue of §1202-u of the New York State Tax Law and the Municipal Home Rule Law of the State of New York.

Section 4. Amendment to Section 16 of Local Law No. 3 of 2006.

Section 16 of Local Law No. 3 of 2006 is amended as follows:

"All revenues resulting from the imposition of the tax under this local law shall be paid into the Treasury of the County of Warren and shall be credited to and deposited in the general fund of the County, thereafter to be allocated only for tourism promotion and tourist and convention development; provided, however, that a portion of such revenue may be specifically allocated to the expense of the County in administering such tax. The revenues derived from such tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of the County of Warren, and its city, towns and villages through the promotion of tourist activities, conventions, trade shows, special events and other directly-related and supported activities. The amount retained by Warren County with respect to administering said tax shall not exceed ~~ten percent (10%)~~ **three percent (3%)** of the revenues collected from the imposition of this tax.

Section 5. Separability.

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 6. Effective Date.

This local law shall take effect upon filing in the office of the Secretary of State of New York State.