

LEGAL NOTICE
PUBLIC HEARING
City of Oneida

PLEASE TAKE NOTICE that a **PUBLIC HEARING** will be held at 6:30 pm on Wednesday, November 8, 2023, in Common Council Chambers, 109 N. Main Street, Oneida, NY on a proposed Local Law to amend Chapter 165 of the Code of the City of Oneida to add a new Article X. titled “Solar and Wind Energy Systems; Farm Waste Energy Systems” pursuant to Real Property Tax Law §487.

PLEASE TAKE FURTHER NOTICE that the complete text of the Proposed Local Law may be viewed on the City’s website www.oneidacityny.gov under Legal Notices and in the City Clerk’s lobby.

PLEASE TAKE FURTHER NOTICE that any or all persons opposing said proposed Local Law may file a written notice thereto, with the City Clerk before such hearing or attend said hearing at the time and place specified.

PLEASE TAKE FURTHER NOTICE that any persons with special needs should contact the City Clerk one week prior to the hearing.

CITY OF ONEIDA
PROPOSED LOCAL LAW 2023

A LOCAL LAW TO AMEND CHAPTER 165 OF THE CODE OF THE CITY OF ONEIDA TO ADD A NEW ARTICLE X, TITLED “SOLAR AND WIND ENERGY SYSTEMS; FARM WASTE ENERGY SYSTEMS,” PURSUANT TO REAL PROPERTY TAX LAW § 487

Be it enacted by the Common Council of the City of Oneida, as follows:

SECTION 1. **LEGISLATIVE FINDINGS AND INTENT**

It is the intent of the Common Council of the City of Oneida to opt-out of the real property tax exemption for wind and solar energy systems and farm waste energy systems within the jurisdiction and geographic boundaries of the City of Oneida. The City has received applications for solar and wind energy systems and farm waste energy systems to be located within the City and additional applications are anticipated in the future. These systems are eligible for a real property tax exemption under New York State Real Property Tax Law which would otherwise eliminate real property tax revenue generated for the City from these systems. New York State Real Property Tax Law authorizes municipalities to opt-out of the real property tax exemption for solar, wind systems and farm waste energy systems provided the municipality enacts a local law “opting out” of the tax exemption. In accordance with Real Property Tax Law § 487, it is the intent of this Local Law that the City of Oneida opt-out of the real property tax exemption for solar and wind energy systems and farm waste energy systems.

SECTION 2. **AUTHORITY**

This Local Law is enacted pursuant to New York Real Property Tax Law § 487(8), the New York State Constitution, and New York Municipal Home Rule Law §10.

SECTION 3.

Chapter 165 of the Code of the City of Oneida is amended to add a new Article X thereto, as follows:

“Article X

Solar and Wind Energy Systems; Farm Waste Energy Systems

§ 165-23 Opt-out of real property tax exemption.

Pursuant to and consistent with New York State Real Property Tax Law § 487(8) the City of Oneida Common Council hereby declares that solar and wind energy systems and farm waste energy systems shall not be exempt from real property taxes within the jurisdiction and geographic boundaries of the City of Oneida.”

SECTION 4. **SEVERABILITY**

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. **FILING**

Pursuant to New York Real Property Tax Law § 487(8), following the enactment of this Local Law a copy of this Local Law shall be filed with the Commissioner of the New York State Department of Taxation and Finance and the President of the New York State Energy Research and Development Authority (NYSERDA).

SECTION 6. **EFFECTIVE DATE**

This Local Law shall be effective upon filing with the office of the Secretary of State.

SANDRA LAPERA
CITY CLERK
October 18, 2023