

Legal Counsel Approval: _____

R.L 08-014

Intro. No. 008-003

Perm. No. 008-003



IN
THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Dated: January 22, 2008

Sponsored by Councilmember(s): Weslar, Gerchman, Massey, Kramer, Webb, Collins

Introduced by Committee(s) on: Municipal and Public Affairs

ORDINANCE
entitled

AN ORDINANCE AMENDING THE CHARTER AND
CODE OF THE CITY OF BINGHAMTON
REGARDING APPOINTMENT AND TERM OF THE
ASSESSOR.

WHEREAS, the Charter of the City of Binghamton Article IV C-12, *Terms of Office*, provides for a two year term for the Assessor, unless sooner terminated by the Mayor; and

WHEREAS, the Charter of the City of Binghamton Article IV, *Assessment and Collection of Taxes*, C-31, *Department of Assessment and Taxation* provides for appointment of an Assessor by the Mayor to serve at the pleasure of the Mayor; and

WHEREAS, the City of Binghamton Optional City Government Law § G-32, *Assessment of property for purposes of general taxation and local improvements*, provides for appointment of the Assessor by the Mayor with the advice and consent of City Council; and

WHEREAS, the Code of the City of Binghamton Article II *Assessor*, § 144-3, *Term to be Five Years*, provides for a five year term which expires on December 31 of the applicable year; and

WHEREAS, all of the foregoing provisions are inconsistent with New York State Real Property Tax Law Article 3, § 310. *Assessor*, which provides for appointment of an Assessor by chief executive officer, to wit in the City of Binghamton the Mayor, for a six (6) year term to expire on September 30 of the applicable year; and

WHEREAS, the City of Binghamton wishes to amend its local laws to be consistent with New York State law.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Charter of the City of Binghamton Charter, Article IV C-12, *Terms of Office*, the Charter of the City of Binghamton Article IV, *Assessment and Collection of Taxes*, C-31, *Department of Assessment and Taxation*, the City of Binghamton Optional City Government Law § G-32, *Assessment of property for purposes of general taxation and local improvements*, and the Code of the City of Binghamton Article II *Assessor*, § 144-3, *Term to be Five Years*, are all deleted as they refer to the Assessor.

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Section 2. That the Code of the City of Binghamton Article II *Assessor*, § 144-3 is deleted in its entirety and is replaced as follows: "§ 144-3, *Appointment and term of the Assessor*. Notwithstanding any provision of the Charter or Code of the City of Binghamton to the contrary, the appointment and term of the Assessor will comply with New York State Real Property Tax Law Article 3, as same may be amended from time to time."

Section 2. That this ordinance shall take effect immediately.