

NEWSLETTERS - Town of Kirkwood

Local Law No. 20 of the Year 2003

A Local Law Amending and Superceding the Application of Section 1826 of the Tax Law of the State of New York to Allow the Mailing of Town Newsletters with Town Tax Bills

Be it enacted by the Town Board of the Town of Kirkwood as follows:

Section 1.

This local law is enacted pursuant to the authority of section 10 of the Municipal Home Rule Law authorizing towns to adopt a local law which may amend or supercede any provision of State law in relation to the property, affairs or government of the town unless there is a State legislative restriction on such amendment or supercession.

Section 2.

Section 1826 of the Tax Law of the State of New York is hereby amended in its application to the Town of Kirkwood, Broome County, New York, to read as follows:

Section 1826. Use of tax or other notices to distribute advertising and propaganda material.

- a. Any person, firm, corporation, or association, or agent or employee thereof, who mails or delivers or causes to be mailed or delivered, any notice, circular, pamphlet, card, hand-bill, printed or written notice of any kind other than that which is authorized or required by law with a statement of moneys due the State of New York or any political subdivision thereof, or with a tax bill or notification of a tax to be assessed or levied by the State of New York or any political subdivision thereof, is guilty of a misdemeanor.
- b. Notwithstanding the foregoing provisions of this section, it shall be lawful for the governing body of any political subdivision, by resolution unanimously passed, to designate a particular written or printed notice relating to water rates, sewer rentals, permit fees and other fees and charges payable to the political subdivision to be included with said tax bill or notification of a tax to be assessed or levied.
- c. Notwithstanding the foregoing provisions of this section, it shall be lawful for the Town Board of the Town of Kirkwood, Broome County, New York to designate a particular written notice relating to worthwhile items or information regarding the affairs of said Town (other than advertisements or propaganda) to be included with said tax bill or water bill, sewer rent bill or notification of a tax to be assessed or levied.

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Section 3. Separability

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Repealer.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.