

LOCAL LAW NO. 12-92
CHAUTAUQUA COUNTY

A LOCAL LAW AUTHORIZING PRIVATE SALE OR ASSIGNMENT OF TAX SALE
CERTIFICATES

BE IT ENACTED, by the Chautauqua County Legislature:

Section 1. PURPOSE

It is the purpose of this Local Law to authorize the County of Chautauqua to sell tax sale certificates at private sale pursuant to negotiated terms and conditions that reflect market values, interest rates, and other factors. It is the intent of this Local Law to provide the maximum allowable flexibility to the County of Chautauqua to achieve such purpose, and the provisions hereof shall be in addition to and/or in lieu of the bulk tax sale provision of the Real Property Tax Law.

Section 2. AUTHORIZATION OF TAX SALE

Notwithstanding the requirements of the bulk tax sale provisions of the Real Property Tax Law, the County of Chautauqua is hereby authorized to sell or assign a portion or all of the County's tax sale certificates at private sale without public advertisement or public auction. The contract of sale or assignment of the tax sale certificates shall be for an agreed upon price and such other terms and conditions that reflect market values, interest rates, and other factors, as negotiated by the County Executive. The County of Chautauqua in its discretion may also include as a term or condition of the contract of sale or assignment an obligation to repurchase the tax sale certificates for the negotiated price including accrued interest, penalties, and other costs, at any time prior to the issuance of a tax deed. If the County utilizes the provisions of this Local Law to effectuate a private sale of tax sale certificates, the provisions of the Real Property Tax Law relating to qualifications of bidders shall not apply.

Section 3. SEVERABILITY

If any provisions of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly adjudged invalid.

Section 4. EFFECTIVE DATE

This Local Law shall become effective forty-five (45) days after adoption, or upon approval by a majority of the qualified electors in the event a permissive referendum is held in accordance with the Municipal Home Rule Law.

Approved by Legislature – June 10, 1992

(R/C Vote: 25 Yes)

Public Hearing – June 23, 1992

Adopted as LL 12-92