

LOCAL LAW NO. 17-92
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 12-92 – REGARDING THE SALE OF TAX
SALE CERTIFICATES

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York as follows:

SECTION 1. Purpose. The purpose of this local law is to amend and supplement the provisions of Local Law 12-92, which was unanimously adopted on June 10, 1992, to clarify the authority of the County of Chautauqua to effectuate the private sale of tax sale certificates. Except to the extent amended hereby, Local Law 12-92 shall remain in full force and effect.

SECTION 2. Sale or Assignment of Tax Sale Certificates. Section 2 of Local Law 12-92 is hereby amended in its entirety to read as follows:

"Notwithstanding the requirements of the bulk tax sale provisions of the Real Property Tax Law, the County of Chautauqua is hereby authorized and empowered to sell or assign a portion or all of the County's tax sale certificates at private sale without public advertisement or public auction and without regard to the provisions of the Real Property Tax Law relating to the qualifications of bidders.

The County Executive is authorized to negotiate the contracts for the sale or assignment of tax sale certificates for a price that reflects market values, interest rates, financing and transactional costs, and other pricing factors. The contract shall contain such other covenants, terms and conditions to the extent permitted by the Real Property Tax Law or otherwise permitted by law, as the County Executive may determine to be necessary to effect the sale or assignment of the tax sale certificates, including specifically but without limitation an obligation by the County to repurchase unredeemed tax sale certificates prior to the issuance of tax deeds, provided that the repurchase price does not exceed the aggregate face amount of the tax sale certificates repurchased plus accrued interest and penalties to the date of repurchase.

Pursuant to the Chautauqua County Charter and Administrative Code, the County Executive is authorized to make, sign, execute and implement all contracts for the assignment or sale of the tax sale certificates negotiated in accordance with the provisions of this Local Law. The County Executive shall have all necessary and incidental powers to perform and exercise any of the duties and functions delegated by this Local Law."

SECTION 3. Effective Date. This Local Law shall become effective immediately upon filing with the New York Secretary of State.

Mailed: 12/4/92

Adopted by Legislature: 12/14/92

Public Hearing: 12/22/92

R/C Vote: 24 Yes; 1 Absent

Adopted as Local Law 17-92