

LOCAL LAW NO. “A” FOR 2023

A LOCAL LAW OF THE COUNTY OF ALBANY ENACTING SECTION 470 OF THE REAL PROPERTY TAX LAW – PROVIDING FOR AN EXEMPTION FROM COUNTY TAXES FOR UP TO 10 YEARS FOR THE CONSTRUCTION OF BUILDINGS MEETING LEED STANDARDS

Introduced: 1/9/23

By Reidy, Reinhardt, A. Joyce, Feeney, Beston, Clay, Cleary, Efekoro, Fein, Kuhn, Lekakis, McLaughlin, Miller, Plotsky, Ricard, Ward and Willingham:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

Section 1. Title

This Local Law shall be known as “Exemption for LEED Certification.”

Section 2. Legislative Intent

It is the intent of this Local Law to provide an exemption from county real property taxes for newly constructed or the renovated portion of buildings that achieve LEED certification.

The County of Albany continues its dedication and commitment to enacting policies and legislation which support increased sustainability and energy conservation.

This Legislature hereby finds and determines that incentivizing the construction of new buildings and the renovation of existing buildings according to LEED standards is a continuation of that commitment and dedication to sustainability and energy conservation.

Section 3. Purpose

The purpose of this Local Law is to encourage and incentivize the new construction and renovation of buildings that meet LEED standards in order to promote sustainability and energy conservation throughout the County of Albany.

Section 4. Exemption from Taxation

An exemption shall be granted from County tax purposes based upon the scale below for projects that achieve LEED certification according to the standards in effect at the time of completion of construction or renovation. Additionally, the maximum (taxable) value to be abated shall be capped at \$1,000,000.

PERCENTAGE OF EXEMPTION			
Year of Exemption	Certified/Silver	Gold	Platinum
1	100%	100%	100%
2	100%	100%	100%
3	100%	100%	100%
4	80%	100%	100%
5	60%	80%	100%
6	40%	60%	100%
7	20%	40%	80%
8	0%	20%	60%
9	0%	0%	40%
10	0%	0%	20%

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 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 clause, sentence paragraph, section or chapter thereof directly involved in the proceeding in which adjudication shall have been rendered. This Local Law shall not supersede any applicable state or federal laws or regulations with regard to the subject matters set forth herein.

Section 5. Effective Date and Applicability

This Local Law shall be effective ninety (90) days subsequent to filing in the Office of the Secretary of State and shall apply to all new construction and renovations occurring on or after the effective date of this law.

Referred to Conservation, Sustainability, and Green Initiatives and Law Committee – 1/9/23

Favorable Recommendation Law Committee – 1/31/23