

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County  
~~City~~ of Orleans  
~~Town~~  
~~Village~~

Local Law No. 2 of the year 19 78

A local law providing for the County of Orleans to claim against  
(Insert title)  
Fire Insurance Proceeds for Unpaid Taxes

Be it enacted by the Board of Supervisors of the  
(Name of Legislative Body)

County  
~~City~~ of Orleans as follows:  
~~Town~~  
~~Village~~

SECTION 1: DEFINITIONS: As used in this Local Law, the following terms shall have the following meanings:

- (a) "Collecting Officer" means the Orleans County Treasurer.
- (b) "Tax District" means the County of Orleans.

(c) "Real Property" means property upon which there is erected any residence, commercial or industrial building or structure, except a one or two family residential structure.

(d) "Lien" means any lien including liens for taxes, special ad valorem levies, special assessment and municipal charges, arising by operation of law against property in favor of the County of Orleans and remaining undischarged for a period of one year or more.

(e) "Governing Body" means the Orleans County Board of Supervisors.

SECTION 2: The County of Orleans is hereby authorized and empowered to claim against the proceeds of a policy of fire insurance insuring the interest of an owner and issued on real property located within the County of Orleans to the extent of any lien thereon which claim when made and perfected in the manner provided in this law shall further constitute a lien against such proceeds and shall, as to such proceeds, be prior to all other liens and claims except the claim of a mortgage of record named in such policy.

SECTION 3. Upon the adoption of a resolution by the governing body of Orleans County, the County Treasurer shall cause a notice of intention to claim against proceeds to be served upon the State Superintendent of Insurance for entry in the index of liens maintained by him as provided in Section 33-a of the Insurance Law of the State of New York. Thereafter the County Treasurer shall render to any insurer the certificate required by Section 33-a of the Insurance Law in the manner prescribed by such section and the amount stated in such certificate shall be a lien on the proceeds of the insurance policy until paid.

SECTION 4. The Board of Supervisors of the County of Orleans by resolution may authorize for the release or return to the owner insured of any amounts to which the County would otherwise be entitled to claim, provided that the owner insured agrees with the County in writing to restore the affected premises to the same or improved condition that the premises were in prior to the time that the lien of the County arose. The County in such a resolution may provide for such conditions as it deems necessary to guarantee the performance of the owner insureds obligation to restore.

SECTION 5. This Local Law shall become effective on its passage by the County of Orleans and its filing in the Office of the Secretary of State of the State of New York. An additional copy of this local law shall be filed with the State of New York Insurance Department.

MARIO M. CUOMO  
Secretary of State

*Read  
6/8/78*



STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
162 WASHINGTON AVENUE  
ALBANY, NEW YORK 12231

May 16, 1978

Uldine D. Hurhs, Clerk  
Orleans County  
Board of Supervisors  
Court House  
Albion, New York 14411

Dear Sir / Madam:

Please be advised that Local Law(s) No. 2  
of 1978 of the County of Orleans  
was/~~were~~ received and filed on May 9, 1978.

We are enclosing additional forms for your future  
use when filing local laws.

Very truly yours

MARIO M. CUOMO  
Secretary of State

By: *James C. Aube*  
James C. Aube (11)  
Chief Clerk  
State Records  
& Law Bureau

cc: State Comptroller  
Division of Municipal Affairs