

No. **6.F.E. (AS)**  
1st Reading

JUL 12 2017

## Ordinance

Date to Mayor ..... **AUG 03 2017**

No. .... Public Hearing

of the

Date Returned ..... **AUG 07 2017**No. **6PSF** ..... 2nd Rdg. and Final Passage

AUG 02

City of Newark, N.J.

Date Resubmitted  
To Council .....

No. .... Reconsidered

Date Advertised  
1st Reading .....

Approved as to Form and Legality on Basis of Facts Set Forth

Final Reading .....

Factual contents certified to by

.....  
 Corporation Counsel  
 Council Member **Mildred C. Crump** presents the following Ordinance:

Title

**AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, PROVIDING FOR A "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR 2017 (N.J.S.A. 40A:4-45.14).**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget appropriations to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 0.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Municipal Council of the City of Newark, in the County of Essex, finds it advisable and necessary to increase its CY 2017 Budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Municipal Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$15,625,842.12 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Municipal Council hereby determines that any amount authorized hereinabove, that is not appropriated as part of the budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY THAT:** a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the City of Newark shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$18,230,149.14, and that the CY 2017 Municipal Budget for the City of Newark be approved and adopted in accordance with the ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced shall be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, shall be filed with the Director of the Division of Local Government Services, within 5 days after final adoption; and

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Date

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BE IT FURTHER ORDAINED, that this ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

An ordinance of the Municipal Council of the City of Newark, New Jersey, providing for a "CAP" Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a "CAP" Bank for 2017 (N.J.S.A. 40A:4-45.14).

CERTIFIED TO BY ME THIS

AUG 08 2017

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FINAL PASSAGE					RECORD OF COUNCIL VOTE FOR RECONSIDERATION									
Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB
Amador Vice President				<input checked="" type="checkbox"/>	Osborne	<input checked="" type="checkbox"/>				Amador Vice President				
Gonzalez	<input checked="" type="checkbox"/>				Quintana	<input checked="" type="checkbox"/>				Gonzalez				
James				<input checked="" type="checkbox"/>	Ramos, Jr.	<input checked="" type="checkbox"/>				James				
Chaneyfield Jenkins	<input checked="" type="checkbox"/>				Crump President	<input checked="" type="checkbox"/>				Chaneyfield Jenkins				
McCallum, Jr.	<input checked="" type="checkbox"/>									McCallum, Jr.				
<input checked="" type="checkbox"/> - Indicates Vote					AB - Absent					NV - Not Voting				

Adopted on first reading at a meeting of the Council of the City of Newark, N.J., on JUL 12 2017

Adopted on second and final reading after hearing on AUG 02 2017

Approved

Rejected By

Mayor

Council President

City Clerk

This Ordinance when adopted must remain in the custody of the City Clerk. Certified copies are available.