



## Legislation Details (With Text)

**File #:** 19-0960      **Version:** 1      **Name:** Ordinance: To exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank 2019

**Type:** Ordinance      **Status:** Adopted

**File created:** 6/5/2019      **In control:** Municipal Council and City Clerk

**On agenda:** 6/11/2019      **Final action:** 7/9/2019

**Title:** AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK PROVIDING FOR A "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK 2019 (N.J.S.A. 40A:4-45.14).

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/9/2019	1	Municipal Council	Close on Public Hearing and Adopt	Pass
6/11/2019	1	Municipal Council	Advance to First Reading	Pass
6/11/2019	1	Municipal Council	reconsider	Pass
6/11/2019	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

### **AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK PROVIDING FOR A "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK 2019 (N.J.S.A. 40A:4-45.14).**

**WHEREAS**, the Local Government Law, N.J.S.A. 40A:4-45.1 through 45.47, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget appropriations to 2.5%, 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 3.5% percentage rate as an exception to its final appropriations in either of the next two (2) 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 2019 budget 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 Newark Municipal Council hereby determines that a 1% increase in the budget for said year, amounting to \$5,457,065.11 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Newark 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 (2) succeeding years.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY THAT:**

1. The Newark Municipal Council, by a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2019 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 \$19,099,727.88, and that the CY 2019 Municipal Budget for the City of Newark be approved and adopted in accordance with the ordinance.
2. 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 (2) succeeding years.
3. A certified copy of this ordinance as introduced, shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs within five (5) days of introduction.
4. 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, New Jersey Department of Community Affairs within five (5) days after such adoption.
5. 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 2019.