

ORDINANCE NO. 9-4-2004

2004 MODEL "CAP" ORDINANCE TO EXCEED INDEX RATE;
INDEX RATE LESS THAN 5% LIMITATION FOR THE YEAR 2004 (N.J.S. 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 to 5% or the index rate, whichever is less, over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, P.L. 1986, C. 203 amended the Local Government Cap Law, to provide that a municipality may, in any year in which the index rate is less than 5%, increase its final appropriations by a percentage rate greater than the index rate but not to exceed the 5% rate as defined in the amendatory law, when authorized by ordinance, and

WHEREAS, the index rate for 2004 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; and

WHEREAS, the Township Council of the Township of Evesham in the County of Burlington finds it advisable and necessary to increase its 2004 budget by more than 2.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a 2.5% increase in the budget for said year amounting to \$368,129 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Evesham, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2004 budget year, the final appropriations of the Township of Evesham shall, in accordance with this ordinance and P.L. 1986, C. 203, be increased by 2.5%, amounting to \$368,129, and that the 2004 municipal budget for the Township of Evesham be approved and adopted in accordance with this ordinance; and

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

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five days after such adoption.

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that if any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon final passage and publication according to law.

ROLL CALL VOTE UPON ADOPTION OF ORDINANCE						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAYE	ABSTAIN	ABSENT
CARDILLO		✓	✓			
D'ANDREA						✓
HANLON	✓		✓			
MONTGOMERY			✓			
MAYOR TAMBURRO			✓			