

**ORDINANCE #2012-03**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK (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 up to 2.0% 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 succeeding years; and

**WHEREAS**, the Board of Commissioners of the Borough of Allenhurst in the County of Monmouth finds it advisable and necessary to increase its CY 2012 budget by up to 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 Board of Commissioners of the Borough of Allenhurst hereby determines that the allowable 3.5% increase in the budget for said year, amounting to \$34,593.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Board of Commissioners of the Borough of Allenhurst hereby determines 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.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Borough of Allenhurst in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14 be increased by 3.5% amounting to \$121,075.00, and that the CY 2012 municipal budget be approved and adopted in accordance with this 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 be filed with the Director 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, be filed with said Director within 5 days after such adoption.

**CERTIFICATION**

I hereby certify the above to be a true and exact copy of an ordinance which was introduced by the Board of Commissioners of the Borough of Allenhurst at a meeting held April 24, 2012, and adopted, after public hearing on June 12, 2012.

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Lori L. Osborn, RMC  
Clerk-Administrator