

**LEGAL NOTICE  
ORDINANCE NO.17  
2010  
TOWNSHIP OF WAYNE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY**

**AN ORDINANCE TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1, et seq. provides that in the appropriation of its annual budget, a municipality shall limit any increase to said budget 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 the actual final appropriation and the 3.5% rate as an exception to its final appropriation in either of the next two succeeding years; and

**WHEREAS**, the Municipal Council of the Township of Wayne hereby determines that any amount authorized herein above 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 Municipal Council of the Township of Wayne in the County of Passaic, State of New Jersey, as follows:

**SECTION 1.** The Municipal Council of the Township of Wayne, County of Passaic, a majority of the full authorized membership affirmatively concurring 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.

**SECTION 2.** The Township Clerk is hereby directed to forward a certified copy of this Ordinance, as introduced, to be filed with the Director of the Division of Local Government Services, within five (5) days of introduction, and the Clerk is further directed 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 five (5) days of such adoption.

**SECTION 3.** This Ordinance shall take affect twenty (20) days after final passage and publication, as prescribed by law.

**SECTION 4.** If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

**SECTION 5.** All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Municipal Council of the Township of Wayne, in the County of Passaic, New Jersey held on **March 17, 2010**. It will be further considered for final passage after public hearing thereon at a meeting of the said Municipal Council to be held in the Municipal Building in said Township on **April 21, 2010 at 8:00 o'clock p.m.** and during the week prior to and up to and including the date of such meeting copies of said ordinance will be made available in the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

PAUL V. MARGIOTTA, RMC  
TOWNSHIP CLERK

Herald News:  
Fees:  
March 27, 2010