

ORDINANCE # 2 OF 2023

**CALENDAR YEAR 2023
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. 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 2.5% 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 appropriations and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Tuckerton in the County of Ocean finds it advisable and necessary to increase its CY 2023 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 Borough Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$ 40,838.83 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council 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 appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Tuckerton, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Tuckerton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 142,963.01, and that the CY 2023 municipal budget for the Borough of Tuckerton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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 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, be filed with said Director within 5 days after such adoption.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Tuckerton held on the 1st day of May, 2023, and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 15th day of May, 2023, at 7:00 pm at the Municipal Building, located at 420 East Main Street, Tuckerton, New Jersey, at which time and place, any person desiring to be heard upon same will be given the opportunity to be so heard.

**JENNY GLEGHORN, RMC
BOROUGH CLERK**

ORDINANCE #3 OF 2023

**ORDINANCE OF THE BOROUGH OF
TUCKERTON, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AMENDING AND
SUPPLEMENTING CHAPTER 249 OF THE
BOROUGH CODE OF THE BOROUGH OF
TUCKERTON ENTITLED "WATER AND SEWERS"
SO AS TO REVISE THE ANNUAL RATES**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Tuckerton, County of Ocean, and State of New Jersey, as follows,

SECTION 1. Paragraph A of Section 249-34 of the Borough Code of the Borough of Tuckerton entitled "Rates for service charges" is hereby amended and supplemented to read as follows:

§ 249-19. Rates for service charges.

- A. The annual rates for water and sewer service for each year portion thereof furnished by the Borough to its customers for each unit shall be as follows, billable and payable in advance. The minimum rates below will apply whether water and/or sewer service is used, so long as the water and/or sewer service is connected:
- (1) Basic water rate: \$7.29 per 1,000 gallons of water usage (minimum charge equals 73,000 gallons.)
 - (2) Basic sewer rate: \$11.79 per 1,000 gallons of sewer usage (minimum charge equals 73,000 gallons.)
 - (3) Excess water rate: \$8.50 per 1,000 gallons of water usage in excess of 73,000 gallons.
 - (4) Excess sewer rate: \$12.25 per 1,000 gallons of sewer usage in excess of 73,000 gallons.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 4. This ordinance shall take effect after public reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Tuckerton held on the 1st day of May, 2023, and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 15th day of May, 2023, at 7:00 pm at the Municipal Building, located at 420 East Main Street, Tuckerton, New Jersey, at which time and place, any person desiring to be heard upon same will be given the opportunity to be so heard.

**JENNY GLEGHORN, RMC
BOROUGH CLERK**

ORDINANCE NO. 4 of 2023

ORDINANCE OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 89 OF THE BOROUGH CODE OF THE BOROUGH OF TUCKERTON ENTITLED "ALCOHOLIC BEVERAGES" SO AS TO REVISE THE ANNUAL FEE FOR PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSE AND CLUB LICENSE

BE IT ORDAINED by the Borough Council of the Borough of Tuckerton, County of Ocean, State of New Jersey, as follows:

SECTION 1. Section 89-7 of the Borough Code of the Borough of Tuckerton entitled "License Fees" is hereby amended and supplemented to read as follows:

§ 89-7 License Fees

A. Fees for licenses shall be as follows:

- (1) Plenary Retail Consumption License, two thousand one hundred forty (\$2,140) dollars
- (2) Plenary Retail Distribution License, one thousand five hundred twenty four (\$1,524) dollars
- (3) Club license, one hundred eighty (\$180) dollars

SECTION 2. All ordinances or parts of ordinance inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Tuckerton held on the 7th day of March, 2022, and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 21st day of March, 2022, at 7:00 pm at the Municipal Building, located at 420 East Main Street, Tuckerton, New Jersey, at which time and place, any person desiring to be heard upon same will be given the opportunity to be so heard.

**JENNY GLEGHORN, RMC
BOROUGH CLERK**

ORDINANCE NO.

ORDINANCE OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 89 OF THE BOROUGH CODE OF THE BOROUGH OF TUCKERTON ENTITLED "ALCOHOLIC BEVERAGES" SO AS TO REVISE THE ANNUAL FEE FOR PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSE AND CLUB LICENSE

The Borough of Tuckerton introduced the above ordinance at its May 1, 2023 meeting. The ordinance amends and supplements Chapter 89 of the Borough Code so as to revise the annual fee plenary retail consumption, distribution and club licenses. The ordinance will be considered on second and final reading at the May 15, 2023 meeting of the governing body. All meetings are held at the municipal complex building located at 420 East Main Street, Tuckerton, NJ, commencing at 7:00 pm. Copies of all ordinances are available at no cost at the Municipal Clerk's Office located 420 East Main Street, Tuckerton, NJ 08087, Monday through Friday 9:00 am to 4:00 pm

JENNY GLEGHORN, RMC
Borough Clerk. Borough of Tuckerton