

## ORDINANCE NO. 18-15

### AN ORDINANCE REPEALING ORDINANCE 18-10

**WHEREAS**, Ocean City's City Council introduced Ordinance 18-10, a bond ordinance providing for acquisition of property in and by the City of Ocean City, appropriating \$9,000,000 therefor and authorizing the issuance of \$8,550,000 bonds for notes of the City to finance part of the cost thereof, at first reading on August 23, 2018 and adopted Ordinance 18-10 after public hearing at second reading on September 13, 2018; and,

**WHEREAS**, subsequent to the adoption of Ordinance 18-10, petition papers and supplementary or amended petition papers comprising a referendum petition were assembled and filed with the City Clerk and were certified by the City Clerk as being sufficient in accordance with N.J.S.A. 40:69A-188 by correspondence to the Committee of Petitioners dated October 25, 2018; and,

**WHEREAS**, in accordance with N.J.S.A. 40:69A-190, the City Clerk submitted the petition and amended petition to City Council on November 8, 2018, the date of the next City Council meeting; and,

**WHEREAS**, N.J.S.A. 40:69A-191 provides that if City Council shall fail to repeal Ordinance 18-10 as requested by the referendum petition within 20 days of the submission of the certified petition by the City Clerk, the City Clerk shall submit the ordinance to the voters unless the petition is withdrawn by at least four of the five members of the Committee of Petitioners; and,

**WHEREAS**, as of the date hereof, the petition has not been withdrawn; and,

**WHEREAS**, City Council, or a majority of City Council, has determined that it is in the best interests of Ocean City to repeal Ordinance 18-10, rather than conduct a special election to submit the ordinance to the voters;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

#### **Section 1**

The recitals set forth above are incorporated herein.

#### **Section 2**

Ordinance 18-10 be and is hereby repealed unless the referendum petition is withdrawn in accordance with N.J.S.A. 40:69A-191.

#### **Section 3**

All ordinances or portions thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

#### **Section 4**

If any portion of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of the ordinance which shall remain in full force and effect.

#### **Section 5**

This Ordinance shall take effect in the time and manner prescribed by law.