INITIATIVE PETITION

To the Municipal Clerk and the Council of the City of Atlantic City, Atlantic County:

Signature and residence address of registered voters (all entries must be made in ink)

We, the undersigned, registered voters of the City of Atlantic City, Atlantic County, New Jersey, under the power of initiative granted to voters of the City of Atlantic City by N.J.S.A. 40:69A-184, hereby propose the Ordinance attached hereto as **Exhibit A** and made a part hereof. If this Ordinance is not passed by the City of Atlantic City within the time prescribed by N.J.S.A. 40:69A-184 et seq., the undersigned voters demand that the same be submitted to the electorate for a vote at the general or special election in accordance with N.J.S.A. 40:69A-184 et seq., with the question to be put to the voters in this manner:

QUESTION. Shall the Ordinance submitted by initiative petition, amending Section XXX of the City of Atlantic City Municipal Code and providing that the voters of Atlantic City have the same statutory rights of participation, including the right of referendum, in any official action taken by the City Council or the State on behalf of the City Council, to dissolve the Atlantic City Municipal Utility Authority and to transfer, sell, or lease the operation and assets of that Authority that are afforded under law to all other New Jerseyans with regard to similar municipal decisions be adopted?

INTERPRETIVE STATEMENT. This Ordinance proposes to amend the City of Atlantic City Municipal Code to provide that if the City or the State of New Jersey, acting on behalf of the Atlantic City Council, pursuant to the Municipal Stabilization and Recovery Act, P.L. 2016, attempts to dissolve the Atlantic City Municipal Authority and seeks a contract for the operation or the transfer, sale, or long-term lease the assets of such authority, it must ensure that the public has the same statutory rights of participation in such official actions that are afforded under the law to all other New Jerseyans with regard to similar municipal decisions. A "Yes" vote is a vote to approve the Ordinance. A "No" vote is a vote against the Ordinance. Petitioners understand that the Ordinance, if adopted by the electorate, may be disregarded by the Local Finance Board in the New Jersey Division of Local Government Services in the Department of Community Affairs and the director thereof pursuant to the Municipal Stabilization and Recovery Act.

1) 2)	COMMITTEE OF PETITIONERS po Atlantic City, NJ Atlantic City, NJ	ursuant to N.J.S.A. 40:69A-186	Page 1 of 4
	Residence address (Number and Street)		(Atlantic City)
3.	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City)
2.	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City
	Signature of Registered Voter	Print Name	

Before signing, please read the proposal as written on the opposite side of this page and Exhibit A.

4.			
••	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City)
5.	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City)
6.	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City)
7.	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City)
8.	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City)
9.	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City)
10	Signature of Registered Voter	Print Name	
	Residence address (Number and Street)		(Atlantic City)
1) 2) 3) 4) 5)	COMMITTEE OF PETITIONERS po Atlantic City, NJ Atlantic City, NJ Atlantic City, NJ Atlantic City, NJ Atlantic City, NJ	ursuant to N.J.S.A. 40:69A-186	Page 2 of 4

EXHIBIT A

ORDINANCE NUMBER XXXX

An Ordinance to Ensure Public Participation in Atlantic City Decision-making

WHEREAS, the residents of Atlantic City have been served by the Atlantic City Municipal Utility Authority ("ACMUA") since 1980:

WHEREAS, the ACMUA provides safe, adequate, and reliable service in order to meet all domestic, commercial, and fire protection needs;

WHEREAS, The ACMUA processed 4.1 billion gallons of water, with an average daily demand of approximately 11.3 million gallons per day in 2015, and it has determined that it possesses the capacity to satisfy current and projected potable water demands and has sufficient funds to cover all operating expenses;

WHEREAS, a recent independent audit determined that the ACMUA's "financial condition is strong";

WHEREAS, the ACMUA charges one of the most affordable rates for service in the state, as the typical household pays less than \$17 per month for such services;

WHEREAS, the water system operated by the ACMUA is therefore an asset that the citizens of Atlantic City do not seek to lease or sell, or have operated by a private company without being afforded adequate notice, public hearings, and an opportunity to deliberate and vote on the fate of the water system;

WHEREAS, Atlantic City faces severe fiscal challenges, including large recurring budget deficits; and

WHEREAS, the Atlantic City Council and voters want to ensure that if the State of New Jersey, acting on behalf of the Atlantic City Council pursuant to the Municipal Stabilization and Recovery Act, P.L. 2016, attempts to dissolve the ACMUA and seeks a contract for the operation or sale or long-term lease of the assets of such authority to a private entity, it must ensure that the public has the same statutory rights of participation in such official actions that are afforded all other New Jerseyans with regard to similar municipal decisions under the law;

IT is hereby ORDAINED that

A.C. Ord. XXXXX (new section):

The City Council or any of the State of New Jersey Executive Branch's departments, divisions, subdivisions, offices, bureaus and agencies, or officers or employees thereof, including the Director of the Division of Local Government in the Department of Community Affairs, that are acting on behalf of the City Council (collectively, the "State") may only enter into a contract for the operation or the transfer, sale, or long-term lease of any part of a water system, which includes the real and personal property, facilities, and contracts, monies, and funds transferred to the City upon dissolution of the Atlantic City Municipal Utility Authority ("ACMUA"), if the City Council or the State has taken all steps required by laws applicable to the dissolution of ACMUA and contracting for the operation or transfer, sale, or long-term lease of such water systems, including but not limited to the "Municipal and County Utilities Authorities Law": P.L. 1957, c. 183 (C. 40:14B-1 et seq.), the "Local Authorities Fiscal Control Law": P.L. 1983, c.313 (C. 40A:5A-1 et seq.), the "Water Infrastructure Protection Act": P.L. 2015, c. 18 (C. 58:30-1 et seq.), the "Local Redevelopment and Housing Law,": P.L. 1992, c. 79 (C.40A;12A-1 et seq.), the "Municipal Land Use Law": P.L. 1975, c.291 (C.40:55D-1 et seq.), and the New Jersey Municipal Utilities Law," P. L. 1917, c. 152, art. XXXV, § 1, as amended (C. 40:62-1 et seq.). Such steps shall include all hearings, referenda, public notice, and other applicable requirements provided under N.J.S.A. §§ 40:62-3 through 40:62-5, or 58:30-6(g), as well as any other applicable laws pertaining to public participation in the relevant municipal decisions.

AFFIDAVIT OF CIRCULATOR pursuant to N.J.S.A. 40:69A-186 STATE OF NEW JERSEY: : ss. COUNTY OF ATLANTIC: I _______ (print name) certifies that (1) s/he and only s/he personally circulated the foregoing paper; (2) all the signatures appended thereto were made in his/her presence; and (3) s/he believes them to be the genuine signatures of the persons whose names they purport to be. (Circulator's signature) Sworn to and subscribed before me this ______ day of ______, 2017.

NOTARY PUBLIC