

RECORD OF ORDINANCES

Ordinance No. 2024-59

Passed SEPTEMBER 4, 2024

SPONSOR: FINANCE COMMITTEE

AN ORDINANCE ADOPTING SECTION 38.15 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED "SALE OR DISPOSAL OF PERSONAL PROPERTY WITH A VALUE OF \$1,000 OR LESS" TO AUTHORIZE THE MAYOR TO SELL OR DISPOSE OF ANY PERSONAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, Section 721.15(A) authorizes the Mayor to sell any personal property not needed for municipal purposes with a value of \$1,000 or less without a separate resolution or ordinance of this Council; and

WHEREAS, Section 721.15(C) of the Ohio Revised Code authorizes this Council to determine that personal property of the Village is not needed for municipal purposes, or is obsolete or unfit for the use for which it was acquired, and that the property has no value, and to further determine that the personal property may be discarded or salvaged; and

WHEREAS, Section 3.10(F) of the Charter of the Village of Mogadore provides this Council the power to determine the method, manner, consideration and procedure for the sale or disposal of real and personal property on behalf of the Village; and

WHEREAS, this Council desires to use its authority proscribed by Section 3.10(F) of the Charter of the Village of Mogadore to adopt Section 38.15 of the Codified Ordinances of the Village of Mogadore, entitled "Sale or Disposal of Personal Property with a Value of \$1,000 or Less," as the same is set forth on Exhibit A, attached hereto and incorporated herein by reference, which will authorize the Mayor to sell or dispose of any personal property not needed for municipal purposes with a value of \$1,000 or less without further review or approval of this Council; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to adopt Section 38.15 for the purpose of efficiently administering the operations of the Village.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby adopts Section 38.15 of the Codified Ordinances of the Village, entitled "Sale or Disposal of Personal Property with a Value of \$1,000 or Less," as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

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SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately authorizing the sale and disposal of personal property with minimal value to improve the efficiency of the operations of the Village, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.



President of Council

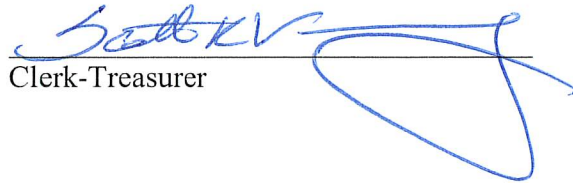
9.4.24
Date



Mayor

9-4-24
Date

Attest:



Clerk-Treasurer

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EXHIBIT A

38.15 Sale or Disposal of Personal Property with a Value of \$1,000 or Less.

- (a) The Mayor may sell any personal property no longer needed for municipal purposes, or that is obsolete or unfit for the use for which it was acquired, and that has a value of \$1,000 or less, upon the method, terms and conditions determined appropriate by the Mayor, without the need of approval of the Village Council and without the need for advertising the same, solicitation of bids or the conduct of any public auction.
- (b) The Mayor may dispose of any personal property no longer needed for municipal purposes, or that is obsolete or unfit for the use for which it was acquired, and that has no value beyond that for which it may be scrapped or salvaged, not to exceed \$1,000, by means of discarding, scrapping or salvaging the same without the need of approval of the Village Council and without the need for advertising the same, solicitation of bids or the conduct of any public auction.
- (c) Nothing contained herein shall be construed to limit or prohibit the use of a public auction or solicitation of bids for the sale or disposal of personal property with a value of less than \$1,000, including any online or internet auctions or sales, if the Mayor determines that such method is appropriate for the sale or disposition of the same.
- (d) The Mayor may not sell any personal property pursuant to this Section to any official or employee of the Village, or to any business or other entity in which any Village official or employee has ownership interest.