

ORDINANCE NO. 2004-61

AUTHORIZING THE SALE OF THE CITY OF MASON'S SURPLUS PERSONAL PROPERTY, INCLUDING ROAD MACHINERY, EQUIPMENT, TOOLS AND SUPPLIES, BY INTERNET AUCTION

WHEREAS, Council has determined that there is, from time to time, certain city-owned personal property which is not needed for public use, or is unfit for the use for which it was required;

WHEREAS, under Article XVIII, Article 3 of the Ohio Constitution, the City of Mason has the authority to exercise all powers of local self-government as are not in conflict with general laws;

WHEREAS, Section 721.15(D) of the Ohio Revised Code authorizes legislative authority to sell personal property, including motor vehicles, road machinery, equipment, tools, and supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was required, by internet auction;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That the City Manager, or the City Manager's designee is hereby authorized, but not required, to sell personal property, including motor vehicles, road machinery, equipment, tools and supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, by internet auction. As used in this section, "internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks, including the graphical subnetwork called the world wide web.

Section 2. That the City Manager or the City Manager's designee is hereby authorized to conduct these internet auctions from time to time as is necessary to dispose of the City of Mason's surplus personal property referred to in Section 1.

Section 3. The City Manager or the City Manager's designee, may establish a minimum price that will be accepted for specific items of surplus municipal personal property. The City Manager or the City Manager's designee may adopt whatever terms and conditions, including requirements for pick-up or delivery, method of payment, and sales tax, that the City Manager of the City Manager's designee deems necessary for the orderly sale of the surplus personal property and payment therefor. Bids shall be accepted for no less than fifteen days, including Saturdays, Sundays and legal holidays.

Section 4. Prior to this internet auction, notice of the City of Mason's intent to sell this surplus municipal personal property by internet auction, shall be published in a newspaper of general circulation in the municipal corporation, at least twice, with the second and any subsequent notice published at least seven, but not more than twenty days after the previous notice. In addition, a similar notice shall be posted in a conspicuous place in the atrium of the Mason Municipal Center and on the City of Mason's website, from the time of the first published notice of the internet auction, through the time that the final bids may be accepted through the internet auction. The notice shall include a summary description of the surplus municipal personal property to be auctioned, a summary of the information necessary to inform a bidder how to participate in the internet auction, including whether the City of Mason will

conduct the auction or whether the City of Mason is contracting with a representative, and provide contact information such as the representative's name, address, telephone number, and website, if applicable. The notice shall also include any minimum price for specific items, any terms and conditions, including requirements for pick-up or delivery, method of payment, and sales tax.

That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 10th day of May, 2004.



Mayor

Attest:



Clerk of Council

4/8/2004