



NORWOOD, OHIO

Ordinance No. 21 20 14

ORDINANCE AUTHORIZING THE SALE OF MUNICIPALLY-OWNED REAL OR PERSONAL PROPERTY BY INTERNET AUCTION, AND DECLARING AN EMERGENCY

WHEREAS, the City of Norwood is required to dispose of real and personal property, including, but not limited to, motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are no longer needed for public use, or are obsolete or no longer fit for the uses for which they had been needed; and

WHEREAS, other property has been ordered disposed of by petition to, and order of, the Hamilton County Common Pleas Court; and

WHEREAS, since at least 1999, there have been providers of internet-based auction services for surplus real and personal property, which provide notice and access to hundreds of thousands of potential buyers of these surplus properties, far more than would normally be available at a live, in-person, auction conducted directly by the City of Norwood; and

WHEREAS, hundreds of other political subdivisions, including municipalities within the State of Ohio successfully used internet-based auction service providers to dispose of their communities' surplus real and personal property, more efficiently than by city personnel conducting auctions of that surplus real and personal property;

THEREFORE, be it ordained by the Council of the City of Norwood:

1. Regardless of the property's value, the City of Norwood is authorized to sell by Internet auction real or personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are no longer needed for public use, or are obsolete or unfit for the use for which it was acquired.

2. City Council shall adopt, during each calendar year, a resolution expressing its intent to sell property by Internet auction. The resolution shall include a description of how the auctions will be conducted and shall specify the number of days for bidding on the property, which shall be no less than fifteen days, including Saturdays, Sundays and legal holidays. The resolution shall indicate whether the City will conduct the auction or whether it will be contracted with a representative to conduct the auction, and shall establish the general terms and conditions of the sale. If the contracted representative is known at the time the resolution is adopted, the resolution shall provide contact information, including the representative's name, address and telephone number.

3. After adoption of the resolution, the Clerk of Council shall publish in a newspaper of general circulation in the municipal corporation, notice of its intent to sell unneeded, obsolete, or unfit municipal property by Internet auction. The notice shall include a summary of the information provided in the resolution and shall be published at least twice, with the second notice being published anytime between the tenth and twentieth days after the first notice is published. A similar notice also shall be posted continually throughout the calendar year in a conspicuous place in the City's administrative offices, in the office of the Clerk of Council, and on the City's website. The notice also shall include a list of those items to be auctioned, however, failure to list any such item in a public notice does not prevent the item from being auctioned nor does it void a sale.

4. The City of Norwood may establish a minimum price to be accepted for specific items and may establish other terms and conditions for the particular sale, including requirements for pickup or delivery, method of payment, and sales tax. This type of information shall be provided on the Internet at the time of the auction and may be provided before that time upon request after the terms and conditions have been determined by the City of Norwood.

5. This ordinance is hereby declared to be an emergency ordinance and a measure necessary for the immediate preservation of the public health, safety and general welfare and shall go into effect forthwith. The reason for said emergency is the necessity to proceed forthwith, particularly to set up this process to dispose of certain municipal real estate to allow potential buyers to renovate or redevelop it.

PASSED May 10, 2016
Date

Donna M. Laake
Donna M. Laake
President of Council

ATTEST:

Joseph S. Geers, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the 10 day of May, 2016 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the 11th day of May, 2016.

Joseph S. Geers
Joseph S. Geers
Clerk of Council

APPROVED 5/23/16
Date

Thomas F. Williams
Thomas F. Williams
Mayor

CERTIFICATION OF PUBLICATION:

Joseph S. Geers, the duly appointed Clerk of Council, attests that this ordinance was published in the ENQUIRER on 6/19/16 and 6/3/16.
(Name of Newspaper) (date) (date)

Joseph S. Geers
Joseph S. Geers
Clerk of Council

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings 5/10/16
Date

Tabled _____
Date

Vetoed _____
Date