

ORDINANCE NO. 1916

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BY *jl* CODIFIED
Date 1/9/07

(An ordinance amending Section 2.32.070—Disposition of Personal Property—of the Hood River Municipal Code)

WHEREAS, the City of Hood River’s public contracting code (Section 2.32.070) contains provisions governing the disposition of personal property and specifies that only the City Manager may declare personal property surplus and the methods of disposing of surplus personal property;

WHEREAS, Section 2.32.070(D) allows the sale of surplus personal property to be conducted electronically, such as at an internet auction;

WHEREAS, Section 2.32.070(B)(3) requires auctions of personal property to be advertised in the newspaper at least once not less than one week prior to the auction;

WHEREAS, because internet auctions do not occur on a specific date and time, the advertisement requirement of 2.32.070(B)(3) is not practical for internet auctions;

WHEREAS, a separate advertisement requirement should, therefore, apply to internet auctions;

WHEREAS, the public welfare requires that this ordinance goes into effect immediately.

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Section 2.32.070 of the Hood River Municipal Code is amended to read as follows:

2.32.070 Disposition of Personal Property

A. The City Manager shall have the authority to determine when personal property owned by the City is surplus.

B. The City Manager shall select the method of disposal which maximizes the value the city will realize from disposal of the surplus property. Surplus personal property shall be disposed of as follows:

1. Sold to the highest qualified buyer meeting the sale terms when the value of each item so offered is less than two thousand dollars and the sale has been advertised at least once in a newspaper of general circulation in the Hood River area not less than one week prior to the sale;

2. Traded in on the purchase of replacement equipment or supplies;

3. Sold at public auction advertised at least once in a newspaper of general circulation in the Hood River area not less than one week prior to the auction or, for an auction conducted electronically on the world-wide web, within 3 days of the date the personal property is delivered to the entity conducting the auction. The published notice shall specify the time, place and terms upon which the personal property shall be offered and a general description of the personal property to be sold; for auctions conducted electronically on the world-wide web, the published notice shall include a general description of the personal property to be auctioned and the world wide web address of the auction location;

4. Sold at a fixed price retail sale if doing so will result in substantially greater net revenue to the city; or

5. Contracted for use, operation or maintenance by one or more private or public entities. Prior to approval of such a contract, the City Manager shall determine that the contract will promote the economic development of the city.

C. All personal property sold pursuant to this section shall be sold as-is without any warranty, either express or implied, of any kind.

D. Sales of surplus personal property may be conducted electronically.

Read for the first time: December 11, 2006.

Read for the second time and passed: December 28, 2006, to become effective immediately.

Signed December 29, 2006.


Linda Streich, Mayor

ATTEST:

Jill Rommel, City Recorder