

ORDINANCE 15-02

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 2 of the Hyrum City Municipal Code sets forth regulations governing the administration and personnel of Hyrum City; and

WHEREAS, Chapter 2.64 of the Hyrum City Municipal Code governs Municipal property; and

WHEREAS, Hyrum City Corporation owns personal property for which it has no further use; and

WHEREAS, in accordance with State regulations, the City Council sets forth those requirements to dispose of surplus property in the method as prescribed by current law; and

WHEREAS, the City Council has determined it is necessary to establish an ordinance setting the procedure for disposal of City surplus personal property, and setting a value limit for such disposal.

NOW, THEREFORE, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE ADDING SECTIONS 2.64.050, 2.64.060, 2.64.070, AND 2.64.080 TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE HYRUM CITY MUNICIPAL CODE TO SET FORTH PROCEDURES FOR DISPOSAL OF CITY SURPLUS PERSONAL PROPERTY AND SETTING A VALUE LIMIT FOR SUCH DISPOSAL.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 2.64.050 of Chapter 2.64 of Title 12 of the Hyrum City Municipal Code is hereby added to read as follows:

2.64.050 CONTROL OF CITY PROPERTY.

See U.C.A. §§ 10-8-1 and 10-8-2.

2. Section 2.64.060 of Chapter 2.64 of Title 12 of the Hyrum City Municipal Code is hereby added to read as follows:

2.64.060 Acquisition and Disposal.

Unless otherwise stated herein, acquisition and disposal of City property shall be done in accordance with Utah Code Annotated § 10-8-2.

3. Section 2.64.070 of Chapter 2.64 of Title 12 of the Hyrum City Municipal Code is hereby added to read as follows:

2.64.070 Disposal of City Personal Property.

Disposal of property with a present value in excess of two hundred fifty dollars (\$250.00), and property that had a value in excess of five thousand dollars (\$5,000.00) on the date of its purchase by the City, shall be disposed of according to the mandates of Utah Code Annotated §10-8-2.(2) by the Hyrum City Council. Disposal of any City personal property that does not fit the requirements of Section 2.64.070, shall be disposed of administratively as defined below in 2.64.080 without requiring the authorization of the Hyrum City Council.

4. Section 2.64.080 of Chapter 2.64 of Title 12 of the Hyrum City Municipal Code is hereby added to read as follows:

2.64.080 Disposal of City Personal Property not meeting requirement.

Disposal of any City personal property that does not fit the requirements as defined above in 2.64.070, shall be disposed of administratively without requiring the authorization of the Hyrum City Council. By the most economical means possible, which may include, but are not limited to, donation, gift, or sale of the property. Department Heads shall have the authority to dispose of City personal property that the Department Head estimates to have a present value of less than one hundred dollars (\$100.00) without approval of the Mayor or City Administrator. The Mayor or City Administrator shall consent to the disposal of any City personal property that the Department Head estimates to have a present value between one hundred and one dollars (\$101.00) and two and hundred fifty dollars (\$250.00) in the most economic way possible which includes donation, gift, or sale of the property.

5. REPEALER. All ordinances, resolutions, and policies of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

6. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

7. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

ADOPTED AND PASSED by the Hyrum City Council this 15th day of January, 2015.

HYRUM CITY CORP.

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____