

ORDINANCE 2018 – 127

**ESTABLISHING A POLICY FOR DECLARING CERTAIN
PROPERTY AS SURPLUS PROPERTY, AUTHORIZING DISPOSING
OF SAID SURPLUS PROPERTY AND THE LEASE OF PROPERTY**

WHEREAS, Ohio Revised Code Chapter 721 established requirements for the sale or lease of property; and

WHEREAS, Council has determined that Chapter 721 requires modifications to reflect the operational needs of the City that is consistent with the City of Mason's policies and procedures; and

WHEREAS, Council has determined that, from time to time, deviation from state law is beneficial for providing efficient services to its residents, businesses and visitors; and

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; and

WHEREAS, under Section 3.07(C) of the City Charter, Council is granted the power to exercise all powers of local self-government granted by the Constitution of the State of Ohio; and

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

Section 1. The City Manager is authorized to declare personal property with an estimate unit value of less than one thousand dollars (\$1,000) to be surplus property when the personal property is no longer needed for municipal purpose or unfit for public use.

Section 2. The City Manager is authorized to declare personal property to be surplus property when the cost of the replacement of personal property less the trade-in of the surplus personal property is less than the City Manager's purchasing authority under Section 5.04 (J)(1) of the City Charter.

Section 3. The City Manager is authorized to dispose of said property and equipment in accordance with Ohio Revised Code Section 721.15, which authorizes the City Manager to sell said property, the estimated value of which is less than \$1,000, without any formal bidding procedure or to sell said personal property or equipment that exceeds \$1,000 after advertisement for not less than two nor more than four weeks to the highest and best bidder.

Section 4. The City Manager is authorized to trade-in or donate any personal property declared surplus by the City Manager or Council that is found to be in the best interest of the City that the sale or donation of some obsolete or unneeded personal property be made simultaneously with the purchase of new replacement personal property or the donation will support a school district, another government, or nonprofit organization that further the overall objectives of the City of Mason.

Section 5. The City Manager is authorized to lease without advertisement for bids or additional legislative action all residential real property managed by a property manager, all agricultural real property and all short-term (one year or less) rental or lease of all real or personal property. Lease or rental payments may be determined by the City Manager and may be less than fair market price if the reduction furthers a public or economic development objective.

Section 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 22nd day of October, 2018.

Mayor

Attest:

Clerk of Council