



ORDINANCE NO. O-25-01

AN ORDINANCE AMENDING GARLAND MUNICIPAL CODE, BY THE ADDITION OF THE OPTION TO DISPOSE OF PROPERTY OF MINIMAL VALUE WITHIN THE BOUNDARIES OF GARLAND CITY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City Council of Garland, Utah, recognizes the need for an efficient and practical method for disposing of property that holds nominal value; and

WHEREAS, property valued at less than \$250.00 ("Nominal Property") may not warrant the same procedural requirements as property of greater value due to administrative costs and inefficiencies; and

WHEREAS, the City desires to establish clear guidelines for the disposal of such Nominal Property while ensuring accountability and transparency;

WHEREAS, Garland seeks to promote the health, safety, and welfare of its residents and property by ensuring that methods are established to ensure proper use, protection and openness;

NOW, THEREFORE, BE IT ORDAINED BY THE GARLAND CITY COUNCIL OF GARLAND, UTAH, AS FOLLOWS:

SECTION 1. PURPOSE. The purpose of this ordinance is to provide the Mayor of Garland City with the authority to dispose of property valued at less than \$250.00 in a manner different from the disposal of property of greater value, as outlined herein.

SECTION 2. AMENDMENT. That 1.10.10, DISPOSAL OF PERSONAL PROPERTY, of the Garland City Code, shall be amended as outlined in Attachment 1, attached hereto, and incorporated hereby.

SECTION 3. REPEALER. Any provision of the Garland Municipal Code found to be in conflict with this ordinance is hereby repealed.

SECTION 4. All other terms, provisions and conditions as previously adopted remain in full force and effect unless specifically amended hereby.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

SECTION 6. EFFECTIVE DATE

This ordinance shall take effect immediately upon its adoption and posting as allowed by law.

PASSED AND ADOPTED by the Garland City Council of Garland City, Utah, on this 5th day of February.

Attest:



Linda Bourne, Mayor



Kristal Edwards
Deputy Recorder

CITY COUNCIL VOTE:

Jeanette Atkinson	☒	Yes	☐	No	☐	Absent
Sharla Nelson	☐	Yes	☐	No	☒	Absent
Tena Allen	☒	Yes	☐	No	☐	Absent
John Losee	☒	Yes	☐	No	☐	Absent
Josh Munns	☒	Yes	☐	No	☐	Absent

Attachment 1

1-10-10: DISPOSAL OF PERSONAL PROPERTY:

A. If a work area supervisor, mayor, or council member has city personal property under his or her control or supervision which he or she deems unusable or surplus to the use of his or her work area, he or she shall notify the mayor and city council, who shall, in turn, notify all other area supervisors of the availability of such property. If any other area supervisor requests the designated surplus property for their respective work area, the city council may, at their option, transfer the property to the requesting area supervisor. If no requests for the surplus personal property are received, or if the city council deems it reasonable and in the public interest to otherwise dispose of the property, the city council may then proceed to sell such personal property in the manner as deemed to be in the best interests of the city.

B. The city council may advertise through public notice in a newspaper of general circulation, the sale of any personal property. The notice may be general in nature without listing each item individually.

C. Following publication of the notice, the city may hold a public sale and dispose of items at a predetermined price or within a predetermined price range. In lieu of a public sale, the city may invite bids to be submitted. In such case, the date for submitted bids shall be given.

D. Bids shall be opened and read before the public. The sale of items shall be made to the highest responsible bidder.

E. Any personal property that cannot be sold at a public sale or through the bidding process may be disposed of in a manner acceptable to the city council.

F. If surplus personal property is not readily marketable or marketable for a fair market value because of its deterioration or condition, the city council may determine that such property be sold as scrap, and if not salable as such, may dispose of such personal property by destruction or other means. (Ord. 10-10, 11-18-2010)

G. Any property with a pecuniary value of less than two hundred fifty dollars (\$250.00), as determined by a reasonable market inquiry made by the department head or mayor, is exempt from surplus procedures, as set forth in this chapter, and from sale at public auction, and shall be sold or disposed of in such a manner as is reasonable and in the best interest of the city. Proceeds received, if any, from the sale of such property shall be placed in the general fund of the city. The sale or disposal of such property is hereby authorized by the city council, and no further authorization is needed from the city council.