

## **ORDINANCE No. 2009-2**

### **AN ORDINANCE REGULATING DISPOSAL OF SURPLUS MUNICIPAL EQUIPMENT AND/OR PROPERTY**

**Whereas**, the City of Cherokee Village owns equipment, real property and other fixed assets, and;

**Whereas**, from time to time it may become necessary to dispose of said equipment, real property, and other fixed assets.

### **NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF CHEROKEE VILLAGE, ARKANSAS**

**SECTION 1:** All municipal owned equipment, real property, and other fixed assets to be declared as surplus shall be presented to the Cherokee Village City Council for approval of said items to be listed as surplus.

**SECTION 2:** The disposal of said surplus equipment, real property, and other fixed assets may be done by auction and/or competitive bidding.

**SECTION 3:** Any item declared as surplus, whose current appraised or estimated value is more than \$20,000 must be disposed through competitive bidding according to state statute 14-58-306.

**SECTION 4:** Any item declared as surplus, whose current appraised or estimated value is less than \$20,000 when so certified in writing by the Mayor or his designated representative, may be sold at auction for its value, and/or at best price.

**SECTION 5:** Procedures for bidding and or sale of equipment, real property and other fixed assets declared as surplus shall be enacted by the Mayor or his designated representative. These procedures shall be in writing and publicized accordingly.

**SECTION 6:** The monies derived from the disposal of surplus equipment, real property, and other fixed assets shall be deposited in the appropriate account respective to that department from which the item originated; unless deemed otherwise by the City Council of Cherokee Village.

**SECTION 7:** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL**

**DATED** May 21, 2009

**APPROVED:** Lloyd W. Hefley  
Lloyd W. Hefley, Mayor

**ATTEST:** Phyllis Endrihs  
Phyllis Endrihs, Clerk/Treasurer