

DATE:	<u>December 15, 2009</u>	1ST READING:	<u>December 21, 2009</u>
INTRODUCED:	<u>Mayor Gillock</u>	2ND READING:	<u>Suspended</u>
REFERRED TO:	<u></u>	3RD READING:	<u>Suspended</u>
TEMPORARY NO:	<u>T 121-2009</u>	ADOPTED:	<u>December 21, 2009</u>
		EMERGENCY:	<u>December 21, 2009</u>

ORDINANCE NO. 4711 - 2009

**AN ORDINANCE AMENDING ORDINANCE 4177-2005,
PROCEDURES FOR SELLING PERSONAL PROPERTY
OWNED BY THE CITY BY INTERNET AUCTION AND
DECLARING AN EMERGENCY.**

WHEREAS, when the City desires to sell certain property by internet auction, it must notify the public of its intent to sell; and

WHEREAS, from time to time the City must amend the procedural ordinance to clarify or simplify or change to conform with changes in the Ohio Revised Code.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. Section 2 of NRCO § 4177-2005 currently reads as follows:

On a date immediately after the effective date of this Ordinance, the Clerk of Council shall cause a copy of this Ordinance to be published in a newspaper of general circulation giving notice of the City's intention to sell via Internet auction (i.e., eBay®). Further, a second publication shall take place not less than ten (10) nor more than twenty (20) days after the first notice. The Clerk of Council shall cause the same two notices to be published on or around the same dates on an annual basis thereafter. Both annual notices shall serve as notice to the public that the City may list a variety of items throughout the year and updated lists are available as outlined in Section 3.

The first sentence of Section 2 of NRCO § 4177-2005 shall be amended to read:

On a date immediately after the effective date of this Ordinance, when the City has property it wishes to sell by Internet auction, the Clerk of Council shall cause a copy of this Ordinance or information regarding the location of this Ordinance for public review to be published in a newspaper of general circulation giving notice of the City's intention to sell via Internet auction (i.e., eBay® or other Internet auction site).

SECTION 2. Section 4 of NRCO § 4177-2005 currently reads as follows:

Items up for Internet auction by the City of North Ridgeville shall be advertised under the seller i.d. of northridgevillecity.

The entirety of Section 4 shall be amended to read:

Items up for Internet auction by the city of North Ridgeville shall be advertised under the seller i.d. of northridgevillecity or under a similar identifiable seller i.d.

SECTION 3. Section 5 of NRCO § 4177-2005 currently reads as follows:

The Safety Service Director or his/her designee shall be available by appointment at 440-353-0812 for any consumer-requested inspections related to said public sale.

The entirety of Section 5 shall be amended to read:

The Safety Service Director or his/her designee shall be available by appointment for any consumer-related inspections related to said public sale.

SECTION 4. Section 8 of NRCO § 4177-2005 currently reads as follows:

Bidding shall continue for no less than fifteen (15) days, including Saturday and Sunday and legal holidays, and shall be set for each item as noted on the Internet auction site.

The bidding time frame in Section 8 shall be amended to ten (10) days in accordance with changes to O.R.C. § 721.15.

SECTION 5. Section 12 of NRCO § 4177-2005 currently reads as follows:

All communication with the successful buyer shall occur in writing. Arrange-meats and costs associated with delivery of the subject vehicle to the successful bidder shall be the sole responsibility of the purchaser. Risk of loss will be transferred to the successful bidder upon the tendering of the goods to the shipping company chosen by the purchaser.

The typographical error in sentence two of Section 12 shall be corrected to read: "Arrangements".

SECTION 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the health, safety and welfare of the Citizens of the City of North Ridgeville, Ohio by providing for an amendment to Ordinance 4177-2009 and for the further reason of the immediate need to get rid of City property that no longer serves a municipal purpose; WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: December 21, 2009


PRESIDENT OF COUNCIL BERNADINE BUTKOWSKI

ATTEST: 
CLERK OF COUNCIL WARREN W. BLAKELY

APPROVED: 12-23-09


MAYOR G. DAVID GILLOCK