

ORDINANCE NO. 159

AN ORDINANCE ESTABLISHING THE EXACT PROCEDURE FOR THE PURCHASE OF SUPPLIES, APPARATUS, EQUIPMENT, MATERIALS, AND OTHER THINGS REQUISITE FOR PUBLIC PURPOSES IN AND FOR THE CITY OF TONTITOWN, ARKANSAS, AND TO MAKE ALL NECESSARY CONTRACTS FOR WORK OR LABOR TO BE DONE OR MATERIAL OR OTHER NECESSARY THINGS TO BE FURNISHED FOR THE BENEFIT OF THE CITY OF TONTITOWN, OR IN CARRYING OUT ANY WORK OR UNDERTAKING OF A PUBLIC NATURE; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Ark. Code Ann. § 14-58-303, the City of Tontitown is authorized to enact an ordinance specifying the exact procedures by which the Mayor or the Mayor's duly authorized representative may make purchases for the City, or make contracts for work, labor, or other necessary things for the benefit of the City, or in carrying out work of a public nature; and

WHEREAS, the efficient operation of the City of Tontitown would be improved by allowing the Mayor or the Mayor's duly authorized representative to make such purchases and enter into such agreements for the City's benefit;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:

1. The Mayor, or the Mayor's duly authorized representative, shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment materials, and other things requisite for public purposes in and for the City of Tontitown, and to make all necessary contracts for work or labor to be done, or material or other necessary things to be furnished for the benefit of the City, or in carrying out any work or undertaking of a public nature therein, where the total expenditure therefor does not exceed the amount of Four-Thousand Dollars (\$4,000.00).
2. That all purchases of all supplies, apparatus, equipment, materials, and other things requisite for the City, where the expenditure therefor is in excess of Four-Thousand Dollars (\$4,000.00), but less Ten-Thousand Dollars (\$10,000.00), shall be made by the Mayor, or the Mayor's duly authorized representative, only after approval by the City Council of Tontitown for the purchase of such supplies, apparatus, equipment, materials, and other things requisite for the City.
3. That all purchases of all supplies, apparatus, equipment, materials, and other things requisite for the City, where the expenditure therefor is in excess of Ten-

Thousand Dollars (\$10,000.00), shall be made after inviting competitive bids thereon pursuant to the procedures as set forth in Ark. Code Ann. § 14-58-303. However, nothing in this paragraph shall limit the City Council's authority under State law to waive competitive bidding when the City Council deems it is not feasible or practical.

4. That the Mayor, or the Mayor's duly authorized representative, may approve for payment out of any funds previously appropriated for the purposes enumerated above, or disapprove any bills, debts, or liabilities asserted as claims against the City, when funds on hand are adequate to pay such bills, debts, or liabilities. That the payment or disapproval of any bills, debts, or liabilities not covered by a previous appropriation shall require confirmation of the governing body.
5. The Mayor, or the Mayor's duly authorized representative, may sell or exchange any municipal supplies, apparatus, equipment, materials, and other things requisite for the City, if such supplies, apparatus, equipment, materials, or other things requisite for the City do not exceed in value the amount of Four-Thousand Dollars (\$4,000.00). No supplies, apparatus, equipment, materials, or other things requisite for the City, the value of which is in excess of Four-Thousand Dollars (\$4,000.00), but less than Ten-Thousand Dollars (\$10,000.00), may be sold or exchanged by the Mayor or the Mayor's duly authorized representative without the approval of the City Council of Tontitown.

If the Mayor believes the value of such supplies, apparatus, equipment, material, or other things to be sold or exchanged is less than Four-Thousand Dollars (\$4,000.00), he shall certify his or her opinion in writing to the governing body, after which the Mayor or the Mayor's duly authorized representative may sell or exchange such supplies, apparatus, equipment, material, or other things without approval by the governing body.

6. Any supplies, apparatus, equipment, material, or other things requisite for the City, the value of which is Ten-Thousand Dollars (\$10,000.00) or more, may be sold or exchanged without inviting competitive bids thereon pursuant to the procedures as set forth in Ark. Code Ann. § 14-58-303. However, nothing in this paragraph shall limit the City Council's authority under State law to waive competitive bidding when the City Council deems it is not feasible or practical.
7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
8. Emergency Clause. It is hereby declared that an emergency exists and this Ordinance, being necessary for the immediate preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED THIS 8TH DAY OF JANUARY, 2002.

Daniel Watson

Daniel Watson, Mayor

ATTEST:

Frances Franco

Frances Franco, City Clerk

