ORDINANCE NO. 79-4

AN ORDINANCE AMENDING CHAPTER 3.04 TO THE ATKINS MUNICIPAL CODE FOR THE CITY OF ATKINS, ARKANSAS, ESTABLISHING A PROCEDURE FOR PURCHASING, SALE OR EXCHANGE OF PROPERTY IN COMPLIANCE WITH ACT NO. 28 of 1959, AS AMENDED BY ACT. NO. 154 OF 1979 (ARK. STAT.19-4421-ARK. STAT. 19-4430); DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

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

Section 1. Chapter 3.04 of the Atkins Municipal Code is hereby amended to read as follows:

"Chapter 3.04"

"PURCHASES"

Sections:

3.04.01 $2,000.00 and under
3.04.02 $2,000.00 and over
3.04.03 Approval of Payment
3.04.04 Sale or exchange of supplies, materials, or equipment valued at less than $2,500.00 Thousand Dollars.

3.04.01 Two Thousand Dollars and Under. The mayor, or his authorized representative, shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials and other things requisite for public purposes for the City of Atkins, 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, or in carrying out any work or undertaking of a public nature therein, where the amount of the expenditure for any purpose or contract does not exceed the sum of two thousand dollars ($2,000.00).

3.04.02 Two Thousand Dollars and Over. Where the amount of expenditure for any purchase or contract exceeds the sum of two thousand dollars ($2,000.00), the Mayor, or his duly authorized representative, shall invite competitive bids thereon by legal advertisement in any local newspaper. Bids received pursuant to said advertisement shall be opened and read on the date set for receiving said bids, in the presence of the Mayor, or his duly authorized representative, together with any others that may be named by the Mayor or governing body for this purpose. The contract

shall be awarded to the lowest responsible bidder; provided, however, the Mayor, or his duly authorized representative, together with any others designated to receive bids, may reject any and all bids received; and providing further, the governing body, by ordinance, may waive the requirements of competitive bidding in exceptional situations where such procedure is deemed not feasible or practical.

3.04.03 Approval of Payments. The Mayor, or his duly authorized representative, may approve for payment out of any funds previously appropriated for that purpose, 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.

3.04.04 Sale or Exchange of Supplies, Materials or Equipment Valued at Less Than **Two Thousand Five Hundred** Dollars ($ **2,500.00**). That the Mayor, or his duly authorized representative, may sell or exchange any municipal supplies, materials or equipment without competitive bidding if such supplies, materials or equipment have a value less than **Two Thousand Five Hundred** Dollars ($ **2,500.00**). That no supplies, materials or equipment shall be sold without receiving competitive bids therefor if the value thereof exceeds the sum of **Two Thousand Five Hundred** Dollars ($ **2,500.00**); provided, however, if the Mayor shall certify in writing to the governing body that, in his opinion, the fair market value of such item or lot (to be disposed of in one unit) is less than **Two Thousand Five Hundred** Dollars ($ **2,500.00**), the same may be sold by the Mayor, or his duly authorized representative, without competitive bidding.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Whereas, State laws require the establishment of a procedure for municipal purchases under two thousand ($2,000.00) dollars and this ordinance being necessary for the immediate protection of the public peace, health and safety, an emergency is

hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval. This the 12th day of June, 1979.

STEVEN KENT, MAYOR

ATTEST:

DALLAS SWAIN, CITY CLERK