

ORDINANCE NO. 119

ORDINANCE PROVIDING FOR A UNIFORM
PROCEDURE FOR THE CONVEYANCE, SALE, LEASE OR DISPOSAL
OF PERSONAL AND REAL PROPERTY

ORDINANCE NO. 119

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF
WASHBURN, NORTH DAKOTA:

ARTICLE 1. Conveyance, Sale, Lease or Disposal of Personal Property.

Whenever any personal property is no longer required for a public purpose, it may be offered for sale by the City Auditor. Except when offered for sale as public auction, items with a value in excess of \$500.00 shall be sold only after approval of the City Commission. Property having a value of less than \$2,500.00 as estimated by the City Commission, may be sold at private sale upon the proper resolution of the City Commission. Property having a value in excess of \$2,500.00 as estimated by the City Commission, shall be sold only at public sale. This provision shall not apply, however, to property to be traded in as part of the purchase price of a new purchase. For purpose of convenience and expediting of the performance and satisfactory completion of the city construction contracts, appropriate city departments may re-sell to contractors for installation on city contract projects only, onhand items including but not limited to water hydrants and meters.

ARTICLE 2. Conveyance, Sale, Lease or Disposal of Real Property.

Whenever any real property is no longer required for a public purpose, it may be offered for sale by the City Auditors. Real property belong to the municipality shall be conveyed, sold, leased or disposed of only as approved by a majority vote of all members of the City Commission. Instruments effecting such conveyance, sale, lease or disposal shall be valid only when duly executed by the President of the Board of City Commissioners and attested by the City Auditor. When the property to be disposed of is estimated by the City Commission to be of a value of less than \$2,500.00, said property may be sold at private sale, upon proper resolution of the City Commission. In all other cases, such property shall be sold only at public sale. In the event a public sale is authorized, a notice containing the description of the property to be sold, and designating a place, day and hour when the sale will be held, shall be published in the City's official newspaper as provided in section 40-01-09 of the North Dakota Century Code, once each week for two consecutive weeks with the last publication being at least ten days in advance of the date set for the sale. The notice shall specify whether the bids are to be received at auction or as sealed bids, as determined by the City Commission. The property advertised shall be sold to the highest bidder if his bid is deemed sufficient by a majority of the members on the City Commission.

ARTICLE 3.

When specific statutory provisions contained in the North Dakota Century Code provide for a procedure which is in conflict with Articles 1 and 2 governing the conveyance, sale, lease or disposal of personal property or real property, the foregoing articles shall not apply as far as it is in conflict with state law.

CITY OF WASHBURN

By 
Robert Gregoire, President

Attest:


Clayton Carr, City Auditor

First Reading 10-4-82

Second Reading 11-1-82

Final Passage 11-1-82