

CITY OF DYER, ARKANSAS

ORDINANCE NO. 8-4-2009-1

AN ORDINANCE REPEALING ORDINANCE NO. 83-5, ORDINANCE NO. 6-16-2009-2, AND ORDINANCE NO. 7-7-2009-1, DECLARING AN EMERGENCY, AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City Council of Dyer has determined that its spending limits and procedures ordinance needs to be updated to foster more efficient operation of the city for the benefit of the citizens of Dyer.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: All purchases of goods and services by the City of Dyer in excess of \$5,000.00 must be by competitive bidding, unless otherwise regulated by statute or ordinance or exempted from this requirement for good cause by resolution of the City Council, and a record of such bidding and/or formal council approval/exemption will be contained in town records.

SECTION 2: Non-routine goods and services valued between \$1,000.00 and \$5,000.00 without which would seriously hamper town operations, may be contracted for and purchased by the Mayor without competitive bidding, but only after City Council approval. Council approval shall be obtained by either a regularly scheduled meeting or by calling a special meeting with all due and proper public notices.

SECTION 3: Routine goods and services valued between \$1,000.00 and \$5,000.00 may be contracted for and purchased by the mayor without council approval. Such goods and services shall include but not be limited to the following: sewage fees, water purchases, city utilities, professional services, fuel, and city payroll. Records of the use and need must be a part of the city files.

SECTION 4: Notwithstanding anything in this ordinance City Council approval and/or competitive bidding shall not be required unless required by other state statute in cases of emergency repairs where contracting is required immediately to protect and preserve the property or welfare of the City of Dyer or its citizens, and a it is not otherwise practicable to call a special meeting of the City Council. Records of the use and need must be a part of the city files.

SECTION 5: Personnel making purchases or contracting services under the provisions of this Ordinance will ensure the most economical service available is utilized and that the town receives proper discounts.

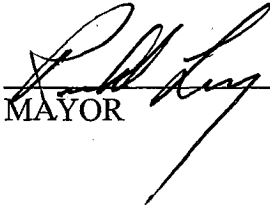
SECTION 6: If any Court of competent jurisdiction finds any portion of this ordinance invalid or unenforceable or in contravention of state law for any reason that portion shall be stricken and the remainder of the ordinance shall continue in full force and effect.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed, specifically including but not limited to Ordinance No. 83-5, Ordinance No. 6-16-2009-2, and Ordinance No. 7-7-2009-1.

SECTION 8: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because this ordinance restores the efficient operation of the city government regarding the procedures for purchases of property by the city. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 4th DAY OF August, 2009.

APPROVED:


MAYOR

ATTESTED:


RECORDER/TREASURER

ORDINANCE NO. 83-5

AN ORDINANCE REGULATING PURCHASING AND CONTRACTING BY THE CITY AND AUTHORIZING THE MAYOR TO MAKE CERTAIN PURCHASES OF GOODS AND SERVICES NECESSARY FOR CONTINUOUS OPERATION WITHOUT FORMAL COUNCIL APPROVAL.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE INCORPORATED TOWN OF DYER, ARKANSAS THAT:

SECTION 1. All purchases of goods and services by the Town in excess of \$2,000.00 must be by competitive bidding and a record of such bidding and formal council approval will be contained in town records.

SECTION 2. Goods and services valued between \$500.00 and \$2,000.00, without which would seriously hamper town operations, may be contracted for by the Mayor. However, goods and services contracted for under this section requires the approval of at least 3 council members and the action must be documented at the next regular council meeting following the purchase.

SECTION 3. Routine purchases of less than \$500.00, required for day-to-day operation of the town, may be made or approved by the Mayor without competitive bidding or council approval but a record indicating use and need must be a part of town files.

SECTION 4. Personnel making purchases or contracting services under the provisions of this Ordinance will insure the most economical service available is utilized and that the town receives proper discounts.

SECTION 5. The need exists to comply immediately with Arkansas State Statutes. An emergency is therefore declared and this ordinance being necessary for such compliance shall be in full force and effect from and after its passage.

DATED: June 6, 1983

APPROVED: *Fayth Pung*

Mayor

ATTEST: *Joe L Kinney*

Recorder