

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE #2005-21**

**AN ORDINANCE AMENDING SECTION 206.02 OF THE VILLAGE OF YELLOW SPRINGS, OHIO CODIFIED ORDINANCES REGARDING THE DISPOSAL OF SURPLUS PERSONAL PROPERTY.**

**WHEREAS**, the sale of surplus property is governed by local statute under Home Rule in Ohio; and

**WHEREAS**, Section 206.02 currently regulates the sale of surplus property but is aimed at the sale of real property primarily; and

**WHEREAS**, the Village wishes to streamline and clarify the procedures for dealing with surplus personal property;

**NOW THEREFORE, THE COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO, HEREBY ORDAINS THAT:**

**SECTION 1.** The first sentence of Section 206.02 is hereby amended to read as follows:

Following a declaration by Council of personal property valued over \$1,000 or any real property as surplus, the sale of such property shall be subject to the following terms and conditions:

**SECTION 2.** Section 206.02 is further amended by adding the following language:

(a) All department heads shall submit to the Village Manager (or his/her designee) from time to time, reports showing stocks of all supplies, materials or equipment which are no longer in use, or which have been worn out or obsolete.

(b) The Village Manager (or his/her designee) may order such items transferred to another department, which can make use of them.

(c) The Village Manager (or his/her designee) may declare these items valued at less than one thousand dollars (\$1,000) on the Village's fixed asset listing as surplus no longer needed for municipal purposes. The Village Manager (or his/her designee) may then sell the same or trade them in on new items. Council authorization declaring an item as surplus no longer needed for municipal purposes is required in instances where an item has value as shown on the Village's fixed asset listing of more than one thousand dollars (\$1,000). The Council ordinance or resolution shall specify the manner of disposing of the item or it shall be disposed of as otherwise provided in Section 206.02. Sale or trade-in shall be pursuant to procedures deemed appropriate by the Village Manager (or his/her designee) and the money generated shall be paid into the appropriate Village fund.

**SECTION 3.** The current Sections (a) through (g) in 206.02 Sale of Surplus Property would be renumbered accordingly.

**SECTION 4.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal action were in compliance with Ohio law.

**SECTION 5.** This Ordinance shall become effective and in full force at the earliest period allowed by law.

\_\_\_\_\_  
Tony Arnett, President of Council

Passed:

Attest: \_\_\_\_\_  
Deborah Benning, Clerk of Council

ROLL CALL

Arnett \_\_\_\_\_

Alexander \_\_\_\_\_

Hardman \_\_\_\_\_

Rickenbach \_\_\_\_\_

Swinger \_\_\_\_\_