

**ORDINANCE NO. 1669(AMENDED)**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 3.04,  
"PURCHASES," OF THE EUREKA SPRINGS MUNICIPAL CODE**

**WHEREAS**, State of Arkansas Act 812, amending Arkansas Code 14-58-303, will become effective on July 27, 1995; and,

**WHEREAS**, the City Council of the City of Eureka Springs, Arkansas, has determined that Chapter 3.04, "Purchases," of the Eureka Springs Municipal Code should be amended in order to conform to the provisions of Act 812; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THAT:**

**Section One: Amendments to Chapter 3.04, "Purchases"**

The title of Chapter 3.04 shall be changed to "Purchases and Contracts Generally"; and Section 3.04.01 shall be amended to read:

3.04.01. Less Than Ten Thousand Dollars. Where the amount of expenditure for any purchase or contract is less than ten thousand dollars (\$10,000), 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 purpose in and for the City 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.

Section 3.04.02 shall be amended to read:

Section 3.04.02. More Than Ten Thousand Dollars. Where the amount of expenditure for any purchase or contract exceeds the sum of ten thousand dollars (\$10,000), the Mayor or the Mayor's duly authorized representative shall invite competitive bidding thereon by legal advertisement in any local paper.

Bids received pursuant to the advertisement shall be opened and read on the date set for receiving the bids in the presence of the Mayor or the Mayor's duly authorized representative.

The Mayor or the Mayor's duly authorized representative shall have exclusive power to award the bid to the lowest responsible bidder, but may reject any and all bids received.

The City Council, by ordinance, may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical.

Section 3.04.03 shall be amended to read:

3.04.03. Disposal of City-owned Supplies, Materials, or Equipment. The Mayor or the Mayor's duly authorized representative may sell or exchange any City-owned supplies, materials, or equipment without competitive bidding if such supplies, materials, or equipment have a value of less than five thousand dollars (\$5,000).

No item or lot of supplies, materials, or equipment which is to be disposed of as one (1) unit, shall be sold without competitive bidding if the amount exceeds the maximum provided above unless the Mayor shall certify in writing to the City Council that, in the Mayor's opinion, the fair market value of the item or lot is less than the amount established above.

**Section Two: Repeal Clause**

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 25<sup>th</sup> DAY OF July, 1995.**

APPROVED:

  
Barbara A. O'Harris, Mayor

ATTEST:



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Mary Ann Lee, City Clerk