

---

---

**AN ORDINANCE TO AMEND SECTION 133.180 SALE OF CITY'S PERSONAL PROPERTY OF ORDINANCES OF THE CITY OF HERCULANEUM TO UPDATE DISPOSAL OPTION AND SETTING AN EFFECTIVE DATE THEREFORE**

---

---

**WHEREAS**, the Board of Aldermen of the City of Herculaneum has a policy in place for the sale of surplus property that has become outdated and the City desires to update the ordinance.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE BOARD OF ALDERMEN OF THE CITY OF HERCULANEUM, MISSOURI, AS FOLLOWS:**

SECTION 1. Section 133.180 Sale of City's Personal Property is hereby amended to read as follows:

Section 133.180      Sale of City's Personal Property.

A. At least annually, each department head shall submit to the City Administrator, at such times and on such forms as prescribed, reports showing stocks of all supplies which are no longer used or which have become obsolete, worn out or scrapped.

B. For items with an estimated value of less than five hundred dollars (\$500.00) where the City Administrator determines it to be in the best interest of the City, the City Administrator shall have the authority to do the following:

1. To transfer surplus stock to a municipal corporation, church or not-for-profit institution under Section 501(c)(3) of the United States Code;
2. To sell all supplies which have become unsuitable for possible use, or exchange or trade the supplies for new supplies, in accordance with the procedures set forth in this Chapter.

For any such item referenced in this subsection, the City Administrator shall report such action to the Board of Alderman.

C. For items with an estimated value of more than five hundred dollars (\$500.00), where the Board of Aldermen has determined that the sale or exchange of any personal property owned by the City will be in the best interest of the City, it may:

1. Sell such property at public auction or public sale in the manner provided in the Missouri Statutes, including through an Internet auction website in the manner provided for public auctions in the Missouri Statutes.
2. Authorize the City Administrator to negotiate the sale or exchange of such property subject to the approval and acceptance by the Board of Aldermen.

3. Exchange such property for other real property of substantially equal value, or for other real property plus an amount of money equal to the difference in value of for equipment and/or supplies and/or services of substantially equal value, if it has been determined that the acquisition of such real property will be in the best interests of the City.

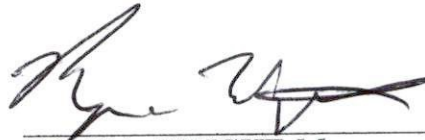
D. Surplus personal property, which is unsalable because of obsolescence, wear and tear, or other reasons, may be dismantled, if necessary, and sold as scrap after approval by the Board of Aldermen.

SECTION 2. If any of the provisions of this ordinance or the application thereof to anyone or any circumstances is held in valid, the remainder of this ordinance and the application of such provisions to others or other circumstances shall not be affected thereby.

SECTION 3. This ordinance shall be codified.

SECTION 4. This ordinance shall be in full force and effect from and after the date of its passage.

READ (IN FULL TWO TIMES) (BY TITLE TWO TIMES, COPIES OF THE PROPOSED ORDINANCE HAVING BEEN MADE AVAILABLE FOR PUBLIC INSPECTION AT THE PLACE OF THE MEETING PRIOR TO THE TIME THE BILL WAS UNDER CONSIDERATION BY THE BOARD OF ALDERMAN) AND PASSED BY THE BOARD OF ALDERMAN OF THE CITY OF HERCULANEUM, MISSOURI, THIS 15<sup>th</sup> DAY OF May, 2023.



RYAN A. WRIGHT, Mayor  
City of Herculaneum

ATTEST:

  
LAURIE FERRETTI, City Clerk