

1 **ORDINANCE 17-05**

2 AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE CODE OF
3 ORDINANCES CONCERNING SURPLUS OF CITY PROPERTY; BY AMENDING ARTICLE V., DIVISION
4 2. SURPLUS OF CITY PROPERTY SECTION 2.24 - DISPOSAL WHEN VALUE \$100.00 TO
5 \$5,000.00; PROVIDED FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND [PROVIDING FOR
6 AN EFFECTIVE DATE.

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8 WHEREAS, the City of Belle Isle's surplus city property code (Sections 2.221-226) contains provisions
9 governing the disposition of personal property and specifies that only the City Manager may declare personal
10 property surplus and the methods of disposing of surplus personal property;

11 WHEREAS, Section 2.224 does not allow the sale of surplus personal property to be conducted
12 electronically, such as at an internet auction (eBay, Craig's list, etc.);

13 WHEREAS, Section 2.224 requires three bids or public auctions of personal property;

14 WHEREAS, internet auctions are also a way to dispose surplus property;

15 WHEREAS, because internet auctions do not occur on a specific date and time, the advertisement
16 requirement of 2.224 is not practical for internet auctions;

17 WHEREAS, a separate advertisement requirement should, therefore, apply to internet auctions;

18 WHEREAS, the public welfare requires that this ordinance goes into effect immediately.

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20 NOW, THEREFORE, THE CITY OF BELLE ISLE ORDAINS AS FOLLOWS:

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22 **SECTION I. ARTICLE V. DIVISION 2. Surplus Property – Section 2-224; Disposal when value \$100.00 to**
23 **\$5,000.00 of the Belle Isle Municipal Code is amended to read as follows:**
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1 If the estimated value of property determined by the council to be surplus is greater than \$100.00 but
2 less than \$5,000.00, the city manager shall dispose of such property by:

- 3 (1) Soliciting three bids for the property; or
4 (2) Public auction, after publication of notice not less than one week or more than two weeks
5 prior to the sale in a newspaper having general circulation or, for an auction conducted
6 electronically on the world-wide web, within 3 days of the date the personal property is
7 delivered to the entity conducting the auction. The published notice shall specify the time,
8 place and terms upon which the personal property shall be offered and a general description
9 of the personal property to be sold; for auctions conducted electronically on the world-wide
10 web, the published notice shall include a general description of the personal property to be
11 auctioned and the world wide web address of the auction location;

12
13 **SECTION II: Severability:** If any word, phrase, sentence, clause or other portion of this Ordinance is determined
14 to be invalid, void, or unconstitutional, the remainder of the Ordinance shall remain in effect.

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16 **SECTION III: Effective Date:** This Ordinance shall become effective upon adoption.

17 First Reading held this 1st day of August, 2017

18 Second Reading held this 15th day of August, 2017

19 Advertised for Second Reading on the 5th day of August, 2017.
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YES NO ABSENT

Ed Gold	_____	_____	_____
Anthony Carugno	_____	_____	_____
Jeremy Weinsier	_____	_____	_____
Bobby Lance	_____	_____	_____
Harvey Readey	_____	_____	_____
Lenny Mosse	_____	_____	_____
Sue Nielsen	_____	_____	_____

LYDIA PISANO, MAYOR

ATTEST: _____
Yolanda Quiceno, CMC-City Clerk

Approved as to form and legality City Attorney

STATE OF FLORIDA
COUNTY OF ORANGE

I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document
ORDINANCE 17-05 was duly and legally passed by the Belle Isle City Council, in session assembled on the
_____ day of _____, 2017, at which session a quorum of its members were present.

Yolanda Quiceno, CMC-City Clerk