

ORDINANCE 23-02

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the Hyrum City Municipal Code, a recodification of municipal ordinances encompassing the Revised Ordinances of Hyrum City and ordinances adopted through July 15, 1993; and

WHEREAS, Chapter 3.04 of the Hyrum City Municipal Code is known as the Purchasing Ordinance of Hyrum City and sets forth purchasing policies and procedures for use by municipal employees in acquiring equipment, materials, supplies, and services; and

WHEREAS, Hyrum City's purchasing policy currently does not have a section to address procurement and expenditures with federal assistance funding; and

WHEREAS, upon recommendation by City Auditors, the City Council has determined there is a need to amend the purchasing ordinance to include a section on compliance and exemption from the policy involving federal assistance funds.

NOW, THEREFORE, the City Council hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING TITLE 3, CHAPTER 3.04 (THE PURCHASING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE BY AMENDING SECTION 3.04.020 OBJECTIVES TO DEFINE COMPLIANCE AND EXEMPTION FROM THE POLICY WITH FEDERAL ASSISTANCE FUNDS.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 3.04.020 to Chapter 3.04 of Title 3 of the Hyrum City Municipal Code is hereby amended as follows:

**3.04.020 Objectives**

A. The following are objectives of Hyrum City's purchasing system and policy:

1. To purchase equipment, materials, supplies and services best suited to accomplish the desired task;
2. To secure the correct quantities in order to avoid overbuying or underbuying;

3. To ensure that equipment, materials, supplies and services are available to the correct departments when and where they are needed;
4. To obtain equipment, materials, supplies and services at the lowest possible price by encouraging effective competition in public purchasing by competitive bidding, bulk buying, and standardization of specifications for equipment, materials, supplies and services;
5. To locate and identify several supply sources for critical materials in order to prevent shortages;
6. To establish procedures for disposal and/or assignment of surplus equipment, supplies and materials;
7. To establish policies and procedures to enhance the efficiency and effectiveness of the city's accounts payable system;
8. To establish policies and procedures for inventory and control of equipment, supplies and materials purchased by Hyrum City.
9. To ensure fair and equitable treatment of all persons who wish to, or do, conduct business with Hyrum City;
10. To provide for the greatest possible economy in Hyrum City procurement activities; and
11. To foster effective, broad-based competition within the free enterprise system to ensure that Hyrum City will receive the best possible service or product at the lowest possible price.

B. Compliance with / Exemption from this policy:

1. This policy shall not prevent Hyrum City from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with the law.
2. When procurement involves the expenditure of federal assistance funds, Hyrum City shall, as required, comply with applicable federal law regulations.

2. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

5. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 4<sup>th</sup> day of May, 2023.

HYRUM CITY

BY: \_\_\_\_\_  
Stephanie Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder

Posted: \_\_\_\_\_