

ORDINANCE NO. 2021-124

AN ORDINANCE AMENDING CHAPTER 111 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY, OHIO, TITLED, "COUNCIL"; SPECIFICALLY, REPLACING SECTION 111.05, TITLED, "PROCEDURE FOR SALE OF SURPLUS CITY REAL ESTATE".

WHEREAS, the power to convey real property owned by a municipal corporation and no longer needed by it for municipal purposes is included within the powers of local self-government conferred by Ohio Constitutional Article XVIII; and

WHEREAS, such conveyance may be made in accordance with the provisions of a charter municipality as established thereunder;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY, THE COUNTY OF LAKE, AND THE STATE OF OHIO:

SECTION 1. That Chapter 111 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Council"; specifically, Section 111.05 titled, "Procedure for Sale of Surplus City Real Estate"; is hereby amended in its entirety to read and provide as follows:

111.05 PROCEDURE FOR SALE OF SURPLUS CITY REAL ESTATE.

- (a) Whenever Council finds it necessary or in the best interest of the City to sell and convey real estate, not needed for municipal purposes, Council shall exercise its full powers of home rule and specifically may authorize the sale of surplus real property owned by the City, without the necessity of public competitive bidding.
- (b) Council shall authorize the Mayor to have an appraisal made of the property proposed to be sold by a competent appraiser. Such appraisal, when returned, shall be filed with Council.
- (c) The Mayor and Council shall establish a sale price deemed by them to be in the best interest of the residents of the City.
- (d) This procedure, in the specific exercise of home rule, does not preclude the use of competitive bidding, as specified in Ohio R.C. 721.03, should Council in its discretion, elect to utilize such statutory procedure in the sale of surplus City real estate.

SECTION 2. That the existing Section 111.05 of the City's Ordinances is hereby repealed in that said Section is superseded by this legislation.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby.

SECTION 4. That this Ordinance shall be in full force and take effect immediately upon its passage by Council and its approval by the Mayor, or at the earliest period allowed by law.

Passed:

December 29, 2021



President of Council

Attest:

Alba Nard

Clerk of Council

Date:

12.29.21

Approved:



Mayor

Submitted to the Mayor for his approval on this 28th day of December, 2021.

Alba Nard

Clerk of Council