

ORDINANCE NO. 2003-13

~~AN ORDINANCE OF NORTH OGDEN CITY, UTAH, REVISING AND RE-ENACTING MUNICIPAL CODE CHAPTER 3.04, PROVIDING A PURCHASING POLICY FOR THE CITY OF NORTH OGDEN, UTAH, AND PROVIDING AN EFFECTIVE DATE FOR SAID RE ENACTMENT.[†]~~

~~BE IT ORDAINED BY THE CITY COUNCIL OF NORTH OGDEN CITY, UTAH:~~

~~SECTION 1. DEFINITIONS~~

~~A. ADVERTISING for bids means that notice will be published at least once in a newspaper of general circulation in Weber County. The request for bid shall include:~~

- ~~1. A description of the material, supplies, services, personal property or construction in sufficient detail that prospective bidders should know what their obligations will be;~~
- ~~2. The time and place for the opening of the bids;~~
- ~~3. Notification of the City's requirements for a bidder's good faith deposit, bid bond, or performance bond, as well as proof of liability insurance and Worker's Compensation Insurance;~~
- ~~4. An announcement that the City may reject all bids, or any part thereof;~~
- ~~5. The description required in 1, above, may be made either in the advertisement itself or by reference to detailed plans and specifications on file with the City Recorder.~~
- ~~6. Any other information upon which the bidder must rely in order to be a responsible bidder.~~

~~B. EMERGENCY CONDITION shall be a situation, which creates a threat to public health, welfare, or safety such as, may arise by reason of flood, epidemics, riots, equipment failures, earthquakes, or such other reason as may be declared an emergency by the City Council. The existence of such condition must create an immediate need for materials, services, or construction that cannot be met through normal procurement methods, and the lack of which would seriously threaten the function of City Government, the preservation or protection of public or private property, or the health or safety of any person.~~

[†]UCA§10-6-122. Provides the authority for the City to enact this Ordinance:

All purchases or encumbrances thereof by a city shall be made or incurred according to the purchasing procedures established by each city by ordinance or resolution and only on an order or approval of the person duly authorized to act as a purchasing agent for the city.

~~C. PURCHASE ORDER is a document that commits the City to pay for goods or services obtained on credit, which have been received by authorized agents of the City.~~

~~SECTION 2. PURCHASE ORDERS REQUIRED~~

~~A. A purchase order shall be used whenever goods and limited services are to be acquired by outright purchase. The purchase order shall specify the nature of the goods or services to be acquired, the purchase price or estimate thereof, freight charges, prompt payment discounts, the delivery date, the vendor from whom acquired, the department and division for whom the acquisition is being made, the budgetary department and general ledger number where the funding for the proposed purchase has been appropriated, and such other provisions or funding for the proposed purchase has been appropriated, and such other provisions or information as may be appropriate or required. The purchase order shall incorporate by reference all the terms, conditions, and specifications if any, contained in the related request for bids. It is the policy of the City that payment for goods or services shall not be made until the goods or services have been delivered. The only exceptions to this policy will be where the payment schedule in a duly authorized contract specifies otherwise or where specifically authorized by the City Administrator or City Finance Director.~~

~~B. Notwithstanding the above conditions, a purchase order shall not be required for purchases of less than \$200.00. Such purchases shall be by way of check request as shall be established by the City Finance Director in accordance with accepted accounting standards.~~

~~C. Notwithstanding the above conditions, a purchase order shall not be required for the purchase and payment of routine, consistent expenses, such as, but not limited to: payroll taxes and related expenses, payments on previously approved leases, contract services, utility bills, or similar expenses. Such purchases shall be by way of check request as shall be established by the City Finance Director in accordance with accepted accounting standards.~~

~~The check request form will be filled out and signed by the employee assigned the responsibility for these routine expenses and shall be countersigned by the responsible Department Head. The completed check request will then be given to the City Treasurer for processing and payment.~~

~~SECTION 3. DUTIES ASSIGNED~~

~~A. DISPERSE PURCHASE ORDERS: The North Ogden City Council hereby ordains and establishes that the North Ogden City Finance Director shall be responsible to disperse purchase orders, keep record of all purchase orders and oversee the operations of the purchasing function in such a manner as to effectively execute procurement and property acquisition and disposition policies as may be established by the City Council by policy declaration or the City Administrator by way of administrative directive and as shall be incorporated into this ordinance.~~

~~B. DUTIES DELEGATED: The Finance Director may delegate purchasing responsibility, when determined appropriate by the City Administrator, to any Department Head of the City.~~

~~C. AUTHORIZATION REQUIRED: Purchase orders shall require authorization and signatures as follows:~~

AMOUNT	AUTHORIZATION REQUIRED
Up to \$500	Department Head
\$501 to \$25,000	City Administrator and Finance Director or Treasurer
\$25,001 and up	City Administrator and Mayor or Mayor Pro Tem, and Finance Director or Treasurer

~~The City Administrator's, Mayor's or Mayor Pro Tern's signatures are required for approval of the purchase; the Finance Director's or Treasure's signature shall signify that there are sufficient unencumbered funds in the department's appropriated budget for the pm-chase.~~

~~D. DEPARTMENT HEADS AUTHORIZATION: Each Department Head shall be authorized to purchase items costing not more than \$500 and to disperse and authorize use of the purchase orders which he/she has received from the Finance Director or City Administrator for items costing under \$500.~~

~~E. ROUTING: A copy of all purchase orders issued shall be given to the vendor at the time the purchase is made. No purchase shall be made without providing the vendor a copy of the purchase order. A copy of the purchase order shall be given to the Finance Director who will check the budget constraints to see if the item may be purchased and if approved will be forwarded onto the City Treasurer, and the Department Head shall retain a copy.~~

~~SECTION 4. COMPETITIVE BID~~

~~All purchases and contracts, whether by sealed bid, quotation, or negotiation, shall be made on a competitive basis to the maximum practical extent except as noted in Section 5, below.~~

~~A. AMOUNTS IN EXCESS OF \$12,000:~~

~~1. Except as otherwise provided within this ordinance, all purchase orders and other contracts of every kind, involving amounts in excess of \$12,000.00 for personal services, or for the purchase, lease, rental, or sale of personal property, materials, equipment, or supplies, shall be let by competitive bidding, after public advertising, to the lowest responsible bidder.~~

~~2. No purchase shall be split into parts by any concerned party so as to produce amounts artificially lower than the total purchase price.~~

~~B. AMOUNTS LESS THAN \$12,000. BUT IN EXCESS OF \$2,500:~~

~~1. All purchase orders and contracts in amount less than \$12,000.00, but in excess of \$2,500.00 shall be let in the open market by obtaining at least three bids wherever possible. The Finance Director shall send out all bids based on the information provided by the Department Heads and shall keep a list of the date the bids were mailed and a list of the vendors to whom the bids were mailed. The Finance Director shall also receive all bids and keep a list of the time they were received. Whenever practical, the bid opening shall be made in the presence of the Finance Director, the Department Head and the City Recorder.~~

~~2. No purchase shall be split into parts by any concerned party so as to produce artificial amounts lower than the total purchase price.~~

~~C. PURCHASES LESS THAN \$2,500.00: These purchases may be obtained by using purchase orders issued by the Finance Director to obtain supplies and services which have been approved by the Department Head.~~

~~1. The employee making the purchase shall sign the purchase order to designate that he/she obtained the supplies or services in good condition.~~

~~2. Written competitive bids are not required, but the Department Head or his/her designee shall obtain competitive quotations.~~

~~3. When verification of a low bid is deemed appropriate, the Finance Director shall, independent of the departmental representative, also obtain quotations for the items or services purchase.~~

~~D. VENDORS OF GASOLINE AND DIESEL FUEL:~~

~~1. The City Council recognizes and finds that wholesale vendors of gasoline and diesel fuel are generally unable to quote prices on fuel that are valid for more than one day.~~

~~2. As a result of this finding, and in order to obtain needed supplies at the most competitive daily price, price quotes may be obtained by telephone, and an order may be placed providing the purchase procedure set out in Section 3, paragraph C, above, have been followed.~~

~~E. RUNNING PURCHASE ORDERS: Purchase orders which allow spending for multiple purchases of the same type from one or more vendors without obtaining current bids or price quotations shall not be allowed except in the following cases:~~

~~1. There is only one qualified supplier;~~

~~2. The supplier has received the bid award amount approved for purchase by the City Administrator.~~

~~3. The purchases are for items that are "consumable" supplies or small repair parts for the Public Works Department, when: 1) the departmental budget has an original appropriation for such items; and, 2) the "running" purchase order has been approved for purchase by the City Administrator who shall certify by that approval that such "running" purchasing procedure is in the best interest of the City. Running Purchase orders issued under the authority of this section, will be issued in accordance with procedures established by the Finance Director with the approval of the City Administrator.~~

~~SECTION 5. PURCHASE ORDERS AND CONTRACTS NOT REQUIRING BIDS~~

- ~~A. A. SOLE SOURCE: The restriction contained in sections 2 & 4 above shall not apply in cases where purchases or contracts are for items which may only be purchased from a single or sole source manufacturer or distributor and no reasonable similar alternative exists.~~
- ~~B. CONTRACTS NOT SUITED TO COMPETITIVE BIDDING. Contracts which by their nature are not suited to award by competitive bidding shall not be subject to the competitive bidding requirements of Section 4 of this ordinance. These contracts include:~~
- ~~5.1.C.1 Contracts for items that may only be purchased from a single or sole source or provider.~~
 - ~~5.1.C.2 Contracts for additions to and repairs and maintenance of equipment owned by the City which maybe more efficiently added to, repaired or maintained by a particular person or firm.~~
 - ~~5.1.C.3 Contracts for equipment which, by reason of the training of City personnel or the inventory of replacement parts maintained by the City, is more compatible with the existing equipment owned by the City.~~
- ~~C. UTILITIES PURCHASE: Utility services such as water, electric power, natural gas, telephone and telegraph, except when alternative supplies or services are available.~~
- ~~D. COURT FEES: Witness and jury fees and other payments as may be ordered by the court.~~
- ~~E. MEDICINES OR MEDICAL SUPPLIES: Medicines or medical supplies which are not generic in nature and which would not be available from other sources through competitive bid or negotiation.~~
- ~~F. EMERGENCY: When the public emergency will not tolerate the delay incident to the advertising for or solicitation of bids.~~

~~1. Purchases under this paragraph shall be based on a need that is compelling and of unusual urgency, such as when the City would be seriously injured financially or otherwise if the personal property or services were not furnished by a certain time, and when they could not be procured by that time by means of advertising, bidding and or solicitations of quotations as previously provided.~~

~~2. Emergency procurement shall be limited to those supplies, services, or construction necessary to meet the emergency whenever practical, approval by the City Council shall be obtained.~~

~~3. The department for whom the emergency purchases are made shall, as soon as practical, file a written report with the City Administrator, which shall contain the following information:~~

~~a. The conditions which created the emergency and a description of the threat to the health, welfare or safety of the public pursuant to finding that an emergency exists;~~

~~b. The basis for the selection of the particular contractor or supplier and a description of what efforts were utilized to identify and contact alternative suppliers or contractors;~~

~~c. The contractor's or supplier's name and address, along with a list of the supplies, materials, services or construction procured under the contract.~~

~~d. Completed and signed purchase orders with attached invoices requesting payment for the emergency purchases.~~

~~4. The City Administrator shall review the report submitted and, if appropriate, shall declare the condition an emergency and shall approve the report and requisitions and authorize the payment of the emergency purchases.~~

~~a. The City Administrator is empowered to declare a state of emergency, for the purposes of this Ordinance, when, in her/his opinion, such condition(s), as set out in section 3, a, above exist(s), and, when the amount to be expended to meet such emergency does not exceed \$25,000.00.~~

~~b. Where the City Administrator finds and declares an emergency, under paragraph 4, a, above, the City Administrator, in conjunction with the department for whom the emergency purchases are made, shall, as soon as practical, file a written report with the Mayor and City Council which shall contain the following information:~~

~~(1) The conditions which created the emergency and a description of the threat to the health, welfare or safety of the public pursuant to finding that an emergency exists;~~

~~(2). The basis for the selection of the particular contractor or supplier and a description of what efforts were utilized to identify and contact alternative suppliers or contractors;~~

~~(3). The contractor's or supplier's name and address, along with a list of the supplies, materials, services or construction procured under the contract.~~

~~(4). Completed signed purchase orders with attached invoices requesting payment for the emergency purchases.~~

~~e. The City Council shall review the report submitted, and if appropriate, shall ratify the City Administrator's declaration of the condition an emergency, and shall approve the report and requisitions and authorize the payment of the emergency purchases.~~

~~G. STATE PROCUREMENT CONTRACTS:~~

~~1. Purchases, which are made from vendors who are under State of Utah Procurement contract, and when the price is that price (or a lower price than that) established by the contract awarded by the State after competitive bidding pursuant to the Utah Procurement Code (63-56-1 et seq).~~

~~2. Purchases which are made from vendors who, within the past sixty (60) clays, have been under State of Utah procurement contract, and when the price offered is the price established by the former contract awarded by the State after competitive bidding pursuant to the Utah Procurement Code (63-56-1 et seq), or less.~~

~~H. GOVERNMENT GOODS AND SERVICES: For goods and services made available by any federal, state or local unit of government, or association of government, when those goods or services were acquired in compliance with the provisions of this ordinance or the State of Utah Procurement Code (63-56-1 et seq).~~

~~I. FRINGE BENENFITS: Purchases of services or benefits that are part of any personnel fringe-benefit agreements that are authorized by the City Council may be negotiated between the City and the service or benefit vendor.~~

~~J. CITY OWNED CONCESSION OR RECREATION FACILITY: Notwithstanding the provisions of Section 9, below, purchases or contracts for supplies, materials or inventory to be used for resale at any City owned and or operated concession or recreation facility.~~

~~K. PUBLIC AUCTION AND OTHER SIMILAR CIRCUMSTANCES: Supplies, materials or equipment which can be purchased at any public auction, closeout sale, bankruptcy sale or other similar sale, and it is found that a purchase at any such auction or sale may be made at a cost below the market cost in the community.~~

~~L. EXCHANGE OF SUPPLIES, MATERIAL, OR EQUIPMENT: Exchanges of supplies, material or equipment between the City and any other entity, which are not by sale or auction.~~

~~M. UTAH CORRECTIONAL INDUSTRIES DIVISION: Supplies, material or equipment produced by the Utah Correctional Industries Division.~~

~~SECTION 6. ADVERTISEMENT, REJECTION AND EXTENSION OF BIDS~~

~~A. ADVERTISEMENT OF BID:~~

~~1. The Department Head shall provide the City Recorder with an appropriate advertisement or description of the item to be advertised so that the City Recorder may formulate a bid advertisement. The City Recorder shall then, with the concurrence of the City Administrator, place the advertisement in a newspaper of general circulation within the City.~~

~~2. Contracts shall be awarded by competitive sealed bidding, except as otherwise provided herein.~~

~~3. An invitation for bids shall be issued when a contract is to be awarded by competitive sealed bidding. The invitation shall include a purchase description and all contractual terms and conditions applicable to the procurement.~~

~~4. Public notice of the invitation for bids shall be given a reasonable time prior to the date set forth therein for the opening of bids. The notice may include publication in a newspaper of general circulation within the city a reasonable time prior to bid opening.~~

~~"Reasonable Time" for purposes of this part, means that a notice of an invitation for bids shall, prior to the acceptance of a bid, be published at least once a week for three consecutive weeks in one or more newspapers of general circulation within the city.~~

~~5. **Bids shall be opened publicly at City Hall**, or other place designated in the invitation for bids **if** use of the City Hall is not available or impracticable at the time of the bid opening, in the presence of one or more witnesses, including whenever practicable **the City Administrator, City Recorder, Finance Director, and the appropriate Department Head** at the time designated in the invitation.~~

~~6. The amount of each bid and any other relevant information specified in the bid notice, together with the name of each bidder, shall be recorded by the City Recorder at the time the bids are opened. The record and each bid shall be open to public inspection.~~

~~7. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this Ordinance.~~

~~8. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and will be considered in evaluation for award shall be objectively measurable. The criteria may include discounts, transportation costs, and total or life cycle cost. No criteria may be used in bid evaluation that are not set forth in the invitation for bids.~~

~~9. Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted in accordance with rules and regulations set out in the bid notice.~~

~~10. After bid opening no changes in bid prices or other provisions of bids prejudicial to the interest of the city or fair competition shall be permitted. Except as otherwise provided by this Ordinance or rules and regulations set out in the bid notice, all decisions to permit the correction or withdrawal of bids or to cancel awards or contracts based on bid mistakes shall be supported by a written determination made by the City Administrator or City Council, depending on the value of the bid received, and in accordance with the provisions of Section 3, C, above.~~

~~11. The contract shall be awarded with reasonable promptness by written notice to the lowest responsive and responsible bidder whose bid meets the requirements and criteria set forth in the invitation for bids. In the event all bids for a construction project exceed available funds as certified by the City Finance Director or City Administrator and the low responsive and responsible bid does not exceed such funds by more than 5%, the City Administrator is authorized, in situations where time or economic considerations preclude resolicitation of work of a reduced scope, to negotiate an adjustment of the bid price, including changes in the bid requirements, with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds.~~

~~12. When it is considered impractical to prepare initially a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.~~

~~B. REJECTION OF BIDS:~~

~~1. An invitation for bids, a request for proposals, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or in part, as may be specified in the solicitation, when it is in the best interests of the City in accordance with rules and regulations as set out in the bid notice or invitation. The reasons for such rejections shall be made part of the contract or bid file.~~

~~2. Bids may be rejected when the City Council, with the advice of the City Administrator and such technical department personnel as the City Administrator may determine appropriate, determines that bid prices, after advertising once for all competitive bids, are not reasonable (either as to all or as to some part of the requirement), exceed the estimated construction cost of a public improvement project by an amount that is unacceptable, or have not been independently arrived at in open competition, provided that no negotiated purchase or contract may be entered into under this paragraph after the rejection of all of the bids received unless the stipulations below are met:~~

~~1. NOTIFICATION TO NEGOTIATE: Notification of the intention to negotiate and reasonable opportunity to negotiate shall have been given to each responsible bidder whose bid conformed to the invitation for bids; and,~~

~~2. NEGOTIATED PRICE: The negotiated price is the lowest negotiated price offered by a reasonable supplier; and provided further, that the City Administrator may, at his/her discretion, elect to re-advertise for bids with approval of the City Council.~~

~~C. EXTENSION OF BIDS: The City Administrator, with the approval of the Mayor, may extend the time for opening of bids, if in his/her opinion it is in the public interest to do so. Notice of the extension shall be given to all prospective bidders by the City Recorder in such manner as is most practical under the circumstances. Such extension shall not exceed ten working days. No extension may be granted for the purpose of qualifying a bid that was delivered after the time advertised for the original opening.~~

~~D. LATE BIDS: No bids shall be received or accepted at any time subsequent to the time indicated in the announcement. Any bids delivered by mail, or any other means, subsequent to the appointed time shall not be opened.~~

~~E. RESPONSIBLE BIDDER: The City shall award contracts which are required to be let by competitive bidding under Section 4.A. of this policy to the lowest responsible bidder. The City may reject any low bid and accept the next lowest bid if the City determines that the low bid was made by a bidder who is not responsible.~~

~~I. The City may consider any or all of the following when determining whether a bidder is responsible:~~

- ~~1. Whether the bid fully complies with the invitation for bids;~~
- ~~2. The bidder's financially responsible;~~
- ~~3. The bidder's honesty and integrity;~~
- ~~4. Whether the bidder has the skill and business judgment to complete the contract;~~
- ~~5. The bidder's experience;~~
- ~~6. Whether the bidder has the facilities and equipment to complete the contract;~~

- ~~7. The bidder's conduct under other contracts, regardless of whether the contracts were with the City or with other parties;~~
- ~~8. The quality of the bidder's other work, regardless of whether the work was performed for the City or for other parties; and~~
- ~~9. Any other matter bearing on the likelihood that the bidder will promptly and efficiently perform the contract if it is awarded to the bidder.~~

~~2. If the City determines that the low bidder is not responsible, the City shall notify the bidder in writing that it is rejecting the bidder's bid. The notice shall also contain a short description of the reasons for the rejection.~~

~~SECTION 7. BONDS OF BIDDERS MAY BE REQUIRED~~

~~A. Bidders may be required to supply deposits of good faith, or bonds with sufficient sureties, in such amounts as shall be deemed adequate and approved by the City Administrator or City Council, as set out in the bid notice, not only to insure performance of the contract or purchase order in the time and manner prescribed, but also to save, indemnify, and hold the City harmless against losses, damages, claims, liabilities, judgments, costs, and expenses which may accrue in consequences of the granting of the contract or purchase orders.~~

~~B. Before any contract for the construction, alteration or repair of any public building, public work or public improvement of North Ogden City is awarded to any person, that person shall furnish to North Ogden such bonds as are required by the Utah Code Annotated, Section 14-1-13, seq (1983).~~

~~SECTION 8. BILATERAL CONTRACTS REQUIRED~~

~~A. A bilateral contract signed by both parties is required:~~

~~1. Whenever personal property is acquired by means of lease, rental, or installment purchase;~~

~~2. Whenever personal or professional services are required by the City except where the services are to be performed at the vendor's place of business or where the services are for non-repetitive repairs or maintenance and where a purchase order has been bid or negotiated to cover said services;~~

~~3. Whenever consultant services are to be acquired;~~

~~4. Whenever real estate or any interest therein is to be acquired except:~~

~~a. When acquired pursuant to the power of eminent domain and entry of a decree by a court;~~

~~b. When acquired as a result of the filings and recording of a map or plat as required by Section 57-5-4 Utah Code Annotated 1953 as amended;~~

~~c. When real estate is donated or dedicated to the City~~

~~5. Whenever the requesting office, department, agency or City Council shall so specify;~~

~~6. Whenever the vendor requires that a contract other than a purchase order be signed by North Ogden City; and,~~

~~7. Whenever intergovernmental, interagency and service provider agreements require participation by the City involving funding, performance, or assumption of liability or risk in any form.~~

SECTION 9. DISPOSAL OF CITY PROPERTY

~~A. Department Heads shall petition the City Administrator and Mayor to declare property surplus, obsolete or unusable.~~

~~B. Any property thus classified with resale value shall be advertised for sale by the City Recorder.~~

~~C. Property not deemed to have any resale value shall be disposed of by the Department Head in the manner deemed to be in the best interest of the public and approved by the City Administrator:~~

~~D. The Department Head shall provide the Finance Director with a list of all such property disposed of so that it may be removed from the list of City assets. The City may refuse any or all bids on items offered for sale.~~

~~E. In accordance with the terms of UCA 10-8-2, the City may make a finding that a use or disposition of certain City property provides for the safety, health, prosperity, moral well being, peace, order, comfort, or convenience of the inhabitants of the city, in which case the City Council may authorize purchase, receipt, holding, selling, leasing, conveying, and other disposition of real and personal property for the benefit of the city, whether the property is within or without the city's corporate boundaries, and under the terms of such a finding is not obligated to sell such property at bid but may improve, protect, and do any other thing in relation to this property that an individual could do.~~

SECTION 10. RECORD OF FIXED ASSETS

~~Whenever payment is made for acquisition of a fixed asset and whenever acquisition costs of said asset exceed \$500.00, the Finance Director shall forthwith enter a record of said acquisition upon the inventory records of the City and shall cause a property sticker to be placed upon said asset.~~

~~SECTION 11. INSPECTION OF MERCHANDISE RECEIVED~~

~~A. It shall be the responsibility of the Department Head or his designees to immediately inspect all material, supplies, equipment, and personal property of any nature purchased pursuant to this ordinance immediately upon delivery from the vendor and prior to the acceptance of the delivery.~~

~~B. The signature of the individual(s) conducting the inspection shall be required on all invoices to designate that they have inspected and received the merchandise listed on said invoice.~~

~~C. Damaged property or items not specified on the purchase order shall not be accepted, and the non-conforming nature of the goods, together with the reason for rejection thereof, shall be noted in writing upon the delivery receipt.~~

~~SECTION 12. PERSONAL LIABILITY OF OFFICERS~~

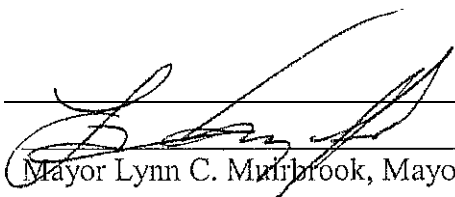
~~A. No officer or employee of the City shall make any expenditure or encumbrance in excess of the total appropriation remaining (excluding salaries and benefits) for any department. Any obligation that is contracted by any such officer or employee in excess of the total remaining department appropriation is the personal obligation of the officer or employee and is unenforceable against the City.~~

~~B. All purchases or all encumbrances on behalf of the City shall be made or incurred only upon any order or approval of the persons duly authorized to act on behalf of the City in such capacity. The liability for purchases or encumbrances made contrary to this ordinance, or without authorization as provided herein, shall become the personal liability of the officer or employees who contracted for such purchase or caused such encumbrance.~~

SECTION 13. EFFECTIVE

~~This ordinance shall take effect immediately upon its adoption and posting.~~

~~PASSED, ADOPTED, AND ORDERED POSTED BY THE CITY COUNCIL OF North Ogden City, Utah this 22nd day of April, 2003.~~



Mayor Lynn C. Milbrook, Mayor

! ;


Annette Spendlove, City Recorder

