

CITY OF PARK CITY

2016- O - _____

AN ORDINANCE REPEALING SECTION 2.60.030 OF THE PARK CITY MUNICIPAL CODE ENTITLED "PURCHASE ORDERS," REPEALING CHAPTER 3.12 OF THE PARK CITY MUNICIPAL CODE ENTITLED "REGULATION OF EXPENDITURES," REPEALING CHAPTER 3.16 OF THE PARK CITY MUNICIPAL CODE ENTITLED "JOINT PURCHASING PROGRAM" AND AMENDING SECTION 1.11.020 OF THE PARK CITY MUNICIPAL CODE ENTITLED "AUTHORITY AND PROCEDURE"

ADOPTED BY THE CITY COUNCIL

OF THE

CITY OF PARK CITY, ILLINOIS

ON

March 17, 2016

Published in pamphlet form by authority of the City Council
of the City of Park City, Lake County, Illinois
this 17th day of March, 2016.

STEVE PANNELL
BEVERLY ROEHR
RICHARD ROEHR

Mayor
Clerk
Treasurer

RIGOBERTO BIBIAN
CLAUD DENNIS
LARRY EAKER
MARIA PANTOJA
MARIA FABIOLA ORTEGA
BARBARA E. TELLE

Alderman
Alderman
Alderman
Alderman
Alderman
Alderman

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AN ORDINANCE REPEALING SECTION 2.60.030 OF THE PARK CITY MUNICIPAL CODE ENTITLED "PURCHASE ORDERS," REPEALING CHAPTER 3.12 OF THE PARK CITY MUNICIPAL CODE ENTITLED "REGULATION OF EXPENDITURES," REPEALING CHAPTER 3.16 OF THE PARK CITY MUNICIPAL CODE ENTITLED "JOINT PURCHASING PROGRAM" AND AMENDING SECTION 1.11.020 OF THE PARK CITY MUNICIPAL CODE ENTITLED "AUTHORITY AND PROCEDURE"

WHEREAS, Section 1.11.020 of the Park City Municipal Code entitled "Authority and procedure for purchases and contracts" provides for the procedure and grants authority for purchases to be made; and

WHEREAS, Section 2.60.030 of the Park City Municipal Code entitled "Purchase orders," Chapter 3.12 of the Park City Municipal Code entitled "REGULATION OF EXPENDITURES," and Chapter 3.16 of the Park City Municipal Code entitled "JOINT PURCHASING PROGRAM" contradict the provisions of the aforesaid Section 1.11.020 of the Park City Municipal Code; and

WHEREAS, the Corporate Authorities desire to repeal Section 2.60.030 of the Park City Municipal Code entitled "Purchase orders," Chapter 3.12 of the Park City Municipal Code entitled "REGULATION OF EXPENDITURES," and Chapter 3.16 of the Park City Municipal Code entitled "JOINT PURCHASING PROGRAM" and amend Section 1.11.020 of the Park City Municipal Code to provide consistency to the Park City Municipal Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, LAKE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS AS FOLLOWS:

SECTION I: That the preceding "Whereas" clauses are hereby incorporated into this Ordinance as if they were fully set forth herein.

SECTION II: Section 2.60.030 of the Park City Municipal Code entitled "Purchase orders" is hereby deleted in its entirety.

SECTION III: Chapter 3.12 of the Park City Municipal Code entitled "REGULATION OF EXPENDITURES" is hereby deleted in its entirety.

SECTION IV: Chapter 3.16 of the Park City Municipal Code entitled "JOINT PURCHASING PROGRAM" is hereby deleted in its entirety.

SECTION V: Section 1.11.020 of the Park City Municipal Code entitled "Authority and procedure for purchases and contracts" is hereby amended as follows, with double underline (insert) denoting inserted language and strikeout (~~delete~~) denoting deleted language:

"1.11.020 - Authority and procedure for purchases and contracts.

- A. The mayor shall have the power and authority to make purchases of, enter into contracts or leases for, or otherwise acquire goods, property, or services, or make expenditures in an amount not to exceed twenty thousand dollars, provided that the mayor shall first obtain written approval from either the city treasurer or the chairman of the finance committee of the city council before such purchase, contract, or expenditure is made. Any exercise of the above power and authority shall be in writing, and copies of such written authorization shall be provided to the aldermen by the next available regular city council meeting and shall provide the city council with information which shall include: the entity from whom the good or service was purchased or contracted, the nature of the goods, property, or service purchased, the amount spent, and shall contain the signature of the mayor and the countersignature of either the city treasurer or the chairman of the finance committee of the city council. Nothing provided above shall be construed to prohibit the mayor or any alderman from proposing purchases or contracts for goods, property, and services, not to exceed twenty thousand dollars, to the city council for approval.
- B. Any labor, lease, goods, property, or services to be purchased, leased or otherwise acquired, which will exceed twenty thousand dollars, shall be, by contract, let to the lowest responsible bidder after advertising for bids as provided in this chapter, unless such contracts pertain to professional services, as defined in this chapter, to services where the ability or fitness of the individual plays an important part, to auditing contracts, or to the purchasing of educational material. The city council, by a vote of two-thirds of all elected aldermen, may waive the above bidding requirement, and approve a contract without advertising or accepting bids as required above.
- C. In the event of an emergency declared by the mayor which will severely inhibit or prevent the proper functioning of city government, or which will affect the public health, welfare, the mayor shall have the sole power and authority to make purchases or award contracts, to the extent necessary to resolve such emergency, in a sum not to exceed five thousand dollars. The mayor shall provide a report to the aldermen of such expenditure, in writing, by the next available regular city council meeting, and provide the city council with information which shall include: the entity from whom the good or service was purchased or contracted, the nature of the good or service purchased, the amount spent, and a description of the emergency.
- D. Except as provided in this section, no city funds shall be spent or contracts approved without prior city council action approving such expenditures.

SECTION VI: Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby

repealed or amended by this ordinance; nor shall any just or legal right, claim, penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

SECTION VII: All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict, hereby repealed.

SECTION VIII: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the City Council of the City of Park City that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

SECTION IX: That any person, firm or entity violating the terms and conditions of this Ordinance shall be subject to a fine not to exceed \$750.00 with each and every day that the violation exists constituting a distinct and separate offense under the terms of this Ordinance. In addition, the Corporate Authority may take whatever action it deems appropriate to enforce the terms of this Ordinance, including an action for injunction. All attorney's fees and costs incurred by the Municipality in enforcing the terms of this Ordinance shall be paid by the violator.

SECTION X: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

Passed this 17th day of March, 2016.

	Ayes:	Nays:	Absent/Abstain:
Rigoberto Bibian	_____	_____	_____
Claud Dennis	_____	_____	_____
Larry Eaker	_____	_____	_____
Maria Pantoja	_____	_____	_____
Maria Fabiola Ortega	_____	_____	_____
Barbara E. Telle	_____	_____	_____

APPROVED:

By: _____ Date: _____
STEVE PANNELL, Mayor

ATTEST:

By: _____
BEVERLY ROEHR, City Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on March 17, 2016.

I hereby certify that the above ordinance was published in pamphlet form on March 17, 2016, as provided by law.

BEVERLY ROEHR, City Clerk