

ORDINANCE NO. 126

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, ESTABLISHING PROCEDURES FOR DISPOSAL OF TOWN ASSETS; PROVIDING FOR INSERTION IN TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 166, Florida Statutes, and the Town Charter of the Town of Sewall's Point, styled Chapter 57-1865, Laws of Florida, the Town of Sewall's Point has the authority to determine the disposal of Town assets, and

WHEREAS, the Town Commission has determined that it is necessary and proper to set forth procedures for disposing of Town assets to fit the needs of the Town.

NOW THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Sewall's Point, Florida, that the Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended by adding a section, to be numbered 2-4, which said section shall read as follows:

SECTION 2-4:

Whenever any department of the Town of Sewall's Point should find that it has an asset of the Town which is in excess of the Town needs, or needs to be replaced as a result of obsolescence, or is no longer operable, the appropriate administrative staff official shall bring the matter to the attention of the Town Commission. The Town Commission shall determine the status of the particular asset and make finding as to whether or not the item is surplus to the needs of the Town,

or needs replacement. Upon such finding, the Town Commission shall declare an item surplus to the needs of the Town of Sewall's Point, or that it in fact needs replacing due to inoperativeness or obsolescence, and the Town Commission shall prescribe the method of disposal of said asset. The disposal may be determined by the Town Commission, in its sole discretion, to be traded in upon a new asset, set forth for sale by bid, which shall be advertised by a publication in a newspaper of general paid circulation in the Town of Sewall's Point and of general interest and readership in the Town of Sewall's Point, not one of limited subject matter, pursuant to Chapter 50, Florida Statutes, 1979, at least one week prior to receiving the bids, and if no bids are received, to dispose of by private sale or if no private sale is obtainable, by scrapping.

SEPARATION.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the intent of the Board to adopt this Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts, shall be deemed and held to be valid as if such part or parts had not been included herein. If this Ordinance or any provision thereof shall be held to be inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect its applicability to any other person, property or circumstances.

REPEAL.

Town ordinances and Town resolutions, or parts thereof, in conflict with this Ordinance are hereby abolished and repealed to the extent of such conflict.

INCORPORATION IN TOWN CODE.

Provisions of this Ordinance shall be incorporated in the Town Code and the word "Ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this Ordinance may be renumbered or relettered to accomplish such intention.


EFFECTIVE DATE.

This Ordinance shall become effective immediately upon the date of its passage according to law.

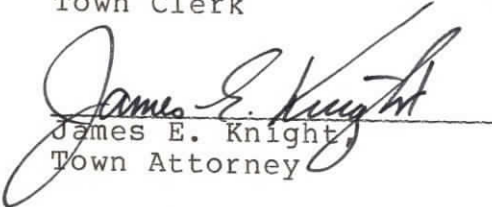
Passed first reading at the regular meeting of the Town Commission held on the 8th day of April, 1981.

Passed second reading at the regular meeting of the Town Commission held on the 13th day of May, 1981.


ATTEST:

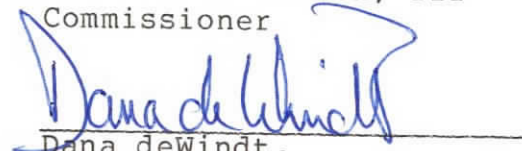

Edward H. Gluckler,
Mayor-Commissioner


Joan Beckley,
Town Clerk


James E. Knight,
Town Attorney

E. Clinton Towl,
Commissioner


William E. Barton, III
Commissioner


Dana deWindt,
Commissioner

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Gilbert Strubell

Gilbert Strubell,
Commissioner