

1-20-25

Passed 2-13-25

**A RESOLUTION APPROVING THE DISPOSITION OF VILLAGE
PERSONAL PROPERTY AND EQUIPMENT IN 2025**

WHEREAS, Ohio Revised Code §721.15 provides for the disposition of village property unneeded, obsolete, or unfit for village use through internet auction;

WHEREAS, the Village of Rushville, Fairfield County, assembles from time-to-time property unneeded, obsolete, or unfit for village use, and which clutters needed storage space, slows the daily operations of the village staff, and could be sold for economic benefit to the village.

NOW, THEREFORE, be it resolved by the village of Rushville, Fairfield County, Ohio:

SECTION 1. Council hereby authorizes the disposition of village property unneeded, obsolete, or unfit for village use, pursuant to the following conditions.

- A. If the estimated value of an item of such property is \$1,000 or more, council shall, prior to its disposition, approve its disposition by ordinance.
- B. If the estimated value of an item of such property is less than \$1,000, council may approve its disposition by a voice vote of a majority of members present when the matter is considered.
- C. If the estimated value of an item of such property has no value, council may approve discarding it or salvaging it by a voice vote of a majority of members present when the matter is considered.
- D. No personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, shall be disposed of without prior approval of council.

SECTION 2. Regardless of the property's value, unless the property has no value, council shall sell personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, only by internet auction, unless otherwise authorized by ordinance.

SECTION 3. Internet auctions shall be conducted through eBay internet auctions and shall allow bidding on the property being auctioned for no less than fourteen days, including Saturdays, Sundays, and legal holidays. The village

administrator shall be the village's representative to conduct the auction and shall establish the general terms and conditions of sale. The village administrator shall be contacted through the village office: 3198 Market St., Rushville, OH 43150, telephone 740-785-0982.

SECTION 4. The terms of any internet sale shall include the following:

- A. Payment shall be by cashier's check, money order or bank check, with payment in full on or before the date of delivery to the successful bidder; Cash shall not be accepted;
- B. The successful bidder shall be solely responsible for all acts and expenses associated with the transport or delivery of any item purchased;
- C. All property sold at auction shall be sold "As is - Where is, and with all faults. The village makes no warranty, guaranty, or representation of any kind, expressed or implied, as to the condition, the merchantability, or fitness for any purpose of the property offered for sale."
- D. The village shall reserve the right to withdraw from sale any of the items listed.
- E. The village administrator, acting as the village's representative for any internet auction, shall establish a minimum price that will be accepted for specific items and may establish any other terms and conditions not inconsistent with the terms above for the sale;
- F. All terms and conditions of any sale shall be posted prior to the auction.

SECTION 5. Upon determining that the village intends to sell unneeded, obsolete, or unfit property, the village's representative shall cause to post notice in the Lancaster Eagle-Gazette of its intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided pursuant to this resolution and shall be published twice. The second notice shall be published not less than ten nor more than twenty days after the first notice. A similar notice also shall be posted in a conspicuous place in the offices of the village clerk and the legislative authority. The village shall also post notice of the intended sale on its website.

SECTION 6. This resolution shall be void and unenforceable after 11:29 p.m., December 31, 2025, without further action by this council, and shall have no effect in 2026.

SECTION 7. This Resolution is hereby declared to be an emergency measure in that the public peace, safety, health and welfare of the inhabitants of the village are involved and specifically because this resolution provides guidance for the daily operations of the village staff and allow for more efficient operations within the law. This Resolution shall take effect and be in force immediately upon its passage by council and signing by the mayor.

DATE PASSED:

Attest/Date: 2-13-25

Clerk-Treasurer: *Cindy Lewis*

Mayor: *John L. Bunge*

Approved as to form: *J. M. Browning*
Jon M. Browning

First Reading 12-12-24

Second Reading 1-9-25

Revised Second Reading ~~2-13-2~~

Third Reading 2-13-25

VOTE FOR _____ AGAINST _____