

VILLAGE OF MARIEMONT, OHIO

ORDINANCE NO. O-29-21

ORDINANCE IMPLEMENTING A POLICY REGARDING THE SALE OR LEASE
OF MUNICIPAL PROPERTY BY ENACTING NEW CHAPTER 38 OF THE CODIFIED ORDINANCES OF
THE VILLAGE OF MARIEMONT AND TO DECLARE AN EMERGENCY

WHEREAS, the Council for the Village of Mariemont desires to implement a policy regarding the sale or lease of municipal property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, STATE OF OHIO, TWO THIRDS OF THE MEMBERS DULY ELECTED THERETO CONCURRING:

SECTION I. New Chapter 38 of the Codified Ordinances of the Village of Mariemont, Ohio, entitled "SALE OR LEASE OF MUNICIPAL PROPERTY, shall be enacted to read as follows:

§38.01 APPROVAL OF COUNCIL REQUIRED.

The Village may sell, lease, exchange or option any real property or personal property belonging to it pursuant to an Ordinance or Resolution approved by the affirmative vote of not less than five (5) members of Council, and including an opinion by the officer, board, or department having supervision or management of such property, that it is no longer needed for any municipal purposes. In those cases, in which such property is offered for lease, the finding shall be that it will not be needed for any municipal purposes during the term of the proposed lease.

§38.02 SALE OR LEASE TO GOVERNMENT OR NOT-FOR-PROFIT ORGANIZATIONS.

The Village may sell, lease, exchange or option any real property or personal property belonging to it, without advertisement and without the receipt of competitive bids, pursuant to legislation approved by the affirmative vote of not less than five (5) members of Council, and including an opinion by the officer, board or department having supervision or management of such property that it is no longer needed for any municipal purpose, to the United States of America, to the State, to any subdivision, agency or department of the United States or any State, or to any not-for-profit corporation or entity organized and operated for a public or charitable purpose, upon such terms and conditions as Council may decide.

§38.03 COMPETITIVE BIDDING ELIMINATED IF IN THE BEST INTEREST OF VILLAGE.

The Village may sell, lease, exchange or option any real property or personal property belonging to it, without advertisement and without the receipt of competitive bids, pursuant to legislation approved by the affirmative vote of not less than five (5) members of Council, and including an opinion by the officer, board or department having supervision or management of such property that it is no longer needed or any municipal purpose, upon determination by Council that it is in the best interest of the Village to do so and upon such terms and conditions as Council may decide. The fact that such advertising and competitive bidding are being

eliminated, and the reason why it is in the best interest of the Village to do so, shall be stated in the legislation authorizing such action.

SECTION II. For the sale of any property which is not specifically covered in the sections above, the Village of Mariemont shall follow the provisions as set forth in Section 721.01 et seq. of the Ohio Revised Code.

SECTION III. This Ordinance is hereby declared to be an emergency for the immediate preservation of the public peace, health, and safety and should go into immediate effect upon passage. The reason for the emergency is to conclude the sales transaction as favorably agreed to by both parties.

Passed: October 28, 2021

William A. Brown, Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 29th day of October 2021.

Anthony J. Borgerding, Fiscal Officer.