

ORDINANCE NO. 184-2012

TITLE: WEAPONS TRADE

AN ORDINANCE AUTHORIZING THE CHIEF OF POLICE TO TRADE TWENTY-THREE (23) MISCELLANEOUS WEAPONS TO VANCE’S LAW ENFORCEMENT SUPPLY CO., FOR A CREDIT OF \$5,200, TO BE USED TOWARDS THE PURCHASE OF AMMUNITION AND OTHER EQUIPMENT NEEDED BY THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Barberton Police Department has an excess of twenty-three (23) miscellaneous weapons which are no longer needed for municipal purposes; and

WHEREAS, pursuant to Ohio Revised Code Section 721.15, Council finds the City has a need for other police equipment and that it would be in the best interest of the City to trade the twenty-four miscellaneous weapons; and

WHEREAS, the City’s power to sell personal property no longer needed for municipal purposes is included within the powers of local self-government conferred by Section 3, Article XVIII of the Ohio Constitution; and

WHEREAS, pursuant to Section 3, Article XVIII of the Ohio Constitution, Council finds that the trade of the twenty-four miscellaneous weapons to Vance’s Law Enforcement Supply Co. by negotiation is necessary.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That the Chief of Police is hereby authorized to trade the twenty-three (23) miscellaneous weapons to Vance’s Law Enforcement Supply Co., for a credit of Five Thousand Two Hundred Dollars and No Cents (\$5,200.00), to be used towards the purchase of ammunition and other equipment needed by the Police Department.

SECTION 2. That Council hereby approves this trade by negotiation and hereby dispenses with the bidding requirements under State law.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, and for the reason that it concerns the efficient operation of the City because of the necessity and desirability of obtaining needed police equipment, and it shall, therefore, be in full force and effect immediately upon its passage and approval by the Mayor.

Passed _____ 2012

Clerk of Council

President of Council

Approved _____ 2012

Mayor