

ORDINANCE NO. 2089

**ORDINANCE AMENDING CHAPTER 34, ARTICLE II AND ARTICLE IV OF THE
NORTHPORT MUNICIPAL CODE PERTAINING TO BUDGET AND PURCHASING
REGULATIONS**

WHEREAS, changes were deemed necessary to Chapter 34, Article II and Article IV;
and

WHEREAS, initial presentation of the annual budget to Council prior to commencement
of fiscal year for which the budget proposal is prepared should be changed from November to
September; and

WHEREAS, the City wishes to increase minimum cost for requiring inventory records
as written in Section 34-86 (10) to \$500; and

WHEREAS, the purchasing requisition approval limit for Department Heads of \$2,500
needs to be added to Section 34-88; and

WHEREAS, purchasing limits as related to requiring bids as noted in Section 34-89(2)
and (3) needs to be amended to reflect current State Bid Law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF NORTHPORT, ALABAMA AS FOLLOWS:**

1. Article II Budget, Section 34-34 Duty of city administrator-clerk as to proposing budget, is hereby amended in the Northport Municipal Code, as set forth in Exhibit "A" which is attached hereto and incorporated by reference as if fully set out verbatim.
2. Article IV Purchasing Regulations Section 34-86 Designated; powers and duties, Section 34-88 Requisitions, and Section 34-89 Procedure for issuing purchase orders, is hereby amended in the Northport Municipal

Code, as set forth in Exhibit "A" which is attached hereto and incorporated by reference as if fully set out verbatim.


3. This Ordinance shall become effective immediately upon passage and publication.

ORDAINED this the 2nd day of August, 2021.


**CITY COUNCIL OF THE
CITY OF NORTHPORT**

BY: 
Jeff Hogg, Its President

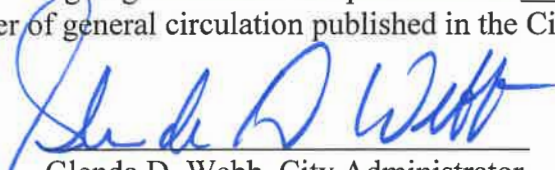
ATTEST:


Glenda D. Webb, City Administrator

APPROVED this the 2nd day of August, 2021.


Bobby Herndon, Mayor

I hereby certify that the above and foregoing Ordinance was published on August 11, 2021, in the Northport Gazette, a newspaper of general circulation published in the City of Northport.


Glenda D. Webb, City Administrator

1st Reading: July 19, 2021
Motion By: Hogg
2nd Reading: August 2, 2021
Motion By: Dykes
Second By: Washington
Publication: August 11, 2021

EXHIBIT “A”

Chapter 34

FINANCE

ARTICLE II. Budget

Sec. 34-34. - Duty of city administrator-clerk as to proposing budget.

It shall be the duty of the city administrator-clerk to receive requests from the various departments and agencies seeking appropriations. The city administrator-clerk shall compile, propose, publish, and present a suggested budget to the city council not later than the first meeting in ~~November~~ September of each year prior to the commencement of the fiscal year for which the budget proposal is prepared.

(Code 1990, § 5-3; Ord. No. 1704, § 2, 6-1-09)

Chapter 34

FINANCE

ARTICLE IV. PURCHASING REGULATIONS

Sec. 34-86. - Designated; powers and duties.

The city administrator-clerk is hereby designated as the purchasing agent of the city, and is charged with the overall direction and execution of the purchasing activities of the various municipal departments, except as exempted in this article. The city administrator-clerk is charged, directed, and empowered to do the following and to account to the mayor and city council for the following:

- (1) To purchase all supplies, goods, services, and commodities, except those exempted in this article, on the most favorable pricing, delivery, and other terms to the city, consistent with budgetary considerations of the city, and with the highest quality and at the least expense.
- (2) To establish and enforce specifications with respect to items to be purchased.
- (3) To encourage full and open competition among vendors.
- (4) To maintain a list of persons desiring to bid on the various purchases and to keep such list current.
- (5) To prescribe forms for use by the various departments in requesting items and for use in purchasing activities, with a view toward unifying and integrating purchasing activities with a budgetary control system.
- (6) To adopt procedures, subject to council review at any time, to encourage planning purchases in advance, and to facilitate the acquisition of needed goods and services.
- (7) To keep the mayor and council informed on purchasing practices and to secure the benefits for the city of developments in purchasing practices among other units of government.
- (8) To take full advantage of discounts through quantity purchases, consistent with budgetary constraints. To further procure for the city all federal and other tax exemptions to which it is entitled.
- (9) To require proof of the receipt of materials ordered prior to processing such orders for payment, and to require persons receiving such goods and/or services to certify on a convenient form that the materials have been received according to the kind, quality, and quantity ordered.

- (10) To develop a perpetual inventory of any equipment, furniture, and other property, the acquisition cost of which is ~~\$100.00~~ \$500.00 or greater, to maintain such records and to annually audit such records and make a full report to the mayor and city council.
- (11) To communicate fully with all officers and departments of the city as to procedures, policies, and forms, to make any recommendations necessary or to perform any duties required by the mayor and council.

(Code 1990, § 5-21)

Sec. 34-87. - Absence of agent.

In the temporary inability of the purchasing agent to act, another bonded city employee employed pursuant to the civil service system may be designated by the agent to act as agent.

(Code 1990, § 5-24)

Sec. 34-88. - Requisitions.

It is the duty of all officers and departments of the city to submit plans for needed goods and services as far in advance as possible to allow appropriate time for acquisition of such items. All requests for goods and/or services shall be requested by any person on a convenient form supplied by the purchasing agent. Before a purchase order is issued, the following approvals are necessary:

- (1) For requests of \$2,500.00 or less, the approval of the Department Head shall be sufficient.
- (2) For requests greater than ~~\$5,000.00~~ \$2,500.00, and not more than \$5,000.00, the approval of the ~~council~~ purchasing agent shall be necessary. ~~Nothing shall prevent the purchasing agent from taking bids prior to such approval, provided that no order is issued without such approval.~~
- (3) For requests greater than \$5,000.00, the approval of the council shall be necessary. Nothing shall prevent the purchasing agent from taking bids prior to such approval, provided that no order is issued without such approval.
- (4) In the event of an emergency, or if the best interests of the City require immediate action, the purchasing agent may approve amounts in excess of \$5,000.00 provided that the Council is notified of this action and the action is later placed on the Council Agenda for approval and ratification by the City Council.

The purchasing agent may revise requisitions as to quality, quantity, terms, and other factors. The city administrator-clerk shall also determine, prior to issuing any purchase order, that sufficient unencumbered funds are available for such purchase.

(Code 1990, § 5-22; Ord. No. 1710 § 1, 9-21-09)

Sec. 34-89. - Procedure for issuing purchase orders.

After requests or requisitions have been approved, the purchasing agent shall undertake the following procedures for issuing purchase orders:

- (1) Purchases less than \$500.00, no price check required.
- (2) Purchases over \$500.00, but less than ~~\$7,500.00~~ State of Alabama bid law and Public Works law requirements, competitive bids or price quotes required, unless waived by the city administrator-clerk or as otherwise specified.
- (3) Purchases of ~~\$7,500.00 and above~~, meeting State of Alabama bid law requirements per Code of Ala. 1975, § 41-16-50 and State of Alabama Public Works law requirements in Title 39 of the Code of Alabama 1975.
- (4) Items on state finance department contracts may be purchased by the purchasing agent without bids.
- (5) Exemptions provided in state law are hereby adopted, except as to the prices at which bids must be secured.
- (6) The purchasing agent may make emergency purchases without bids, if he finds the immediate public health, safety or welfare demands it, and reports such fact in writing to the council at its next meeting. The council may declare, under state law, that an emergency exists and may direct purchases be made without bids where the council specifically complies with applicable state law and so directs the purchasing agent.

(Code 1990, § 5-23)

Sec. 34-90. - Bid procedure.

Where bidding is required under this article, the procedure for receipt of bids shall be as follows:

- (1) A notice shall be mailed to each person on the active bid list and shall be posted in a conspicuous place in city hall.
- (2) A reasonable period of time shall be allowed and prescribed in the notice for response. Return bids must be sealed and shall be identified on the outside envelope as such.
- (3) Bid openings may be scheduled during the business day at the purchasing agent's office, but certified tabulations shall be presented to the council at its next meeting and the council shall, by duly adopted motion, authorize the purchase and acceptance of the bids.

(Code 1990, § 5-23)

Secs. 34-91—34-115. - Reserved.