

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 336

AN ORDINANCE to amend Section 4.05 of the Charter of the City of Lookout Mountain, Georgia, so as to authorize the City to make contracts and purchases in amounts not to exceed \$20,000.00 without advertisement and competitive bidding, and for other purposes.

WHEREAS, Section 4.05 of the Charter of the City of Lookout Mountain, Georgia, provides, *inter alia*, that the City purchasing agent, when making expenditures or contracts for more than a specified amount, must publicize, advertise, and conduct a competition by sealed bids; and

WHEREAS, economic conditions, including inflation and supply shortages, have significantly increased the prices of products and services needed by the City, and the City Council has determined that it would be in the City's best interest and in furtherance of the public welfare to raise the dollar amount of expenditures not requiring bids; and

WHEREAS, the Georgia Municipal Home Rule Act of 1965 (the "Act") authorizes municipalities such as the City to amend their charters by ordinances duly adopted at two regular consecutive meetings of the municipal governing authority, subject to compliance by the municipality with applicable requirements of the Act;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and IT IS HEREBY ORDAINED as follows:

Section 1. Pursuant to the authority conferred upon the City by Official Code of Georgia Annotated §36-35-3(b)(1), the City hereby amends its Charter by the deletion Section 4.05 thereof in its entirety and the substitution of the following in its place:

Section 4.05. Centralized purchasing.

All contracts and purchases, except those that may be reserved to the council by ordinance, shall be made by the city purchasing agent, who shall be the mayor or an employee appointed by him. Any expenditure or contract for more than Twenty Thousand Dollars (\$20,000.00) shall be made only after publication, advertisement, and competition by sealed bids, as prescribed by ordinance, and an award shall be made to the lowest and best bidder; provided that bids need not be required for professional services or for services for which the rates or prices are regulated by public authority. Competition by bids shall not be required for the purchase of equipment, materials or supplies from any other governmental agency.

Section 2. Savings Clause. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be thereby affected since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

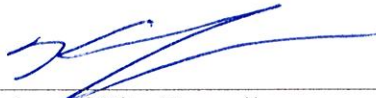
Section 3. Repealer. All other ordinances or parts thereof heretofore enacted by the City in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective ten (10) days after its adoption by at least three members of the Council of the City of Lookout Mountain, Georgia, after two readings at least one (1) week apart; *provided, however*, that the amendment to the City's Charter contemplated by this ordinance will only become effective upon the City's compliance with applicable notice, filing and other requirements set forth in Official Code of Georgia Annotated §36-35-1, *et seq.*

APPROVED ON FIRST READING on November 11, 2021.




Member of City Council



Member of City Council


Member of City Council



Member of City Council




Member of City Council



Mayor of Lookout Mountain, Georgia


APPROVED AND ADOPTED ON SECOND READING ON December 9,
2021.



Member of City Council



Member of City Council



Member of City Council




Member of City Council



Member of City Council



Mayor of Lookout Mountain, Georgia

ATTEST:


City Clerk
Lookout Mountain, Georgia

