

# ORDINANCE 1835

## **AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, REPEALING AND REPLACING NORTH BEND MUNICIPAL CODE CHAPTER 3.56 RELATING TO SURPLUS PROPERTY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, North Bend Municipal Code (“NBMC”) Chapter 3.56 was adopted in 1985 to govern the sale and disposal of surplus personal property owned by the City; and

**WHEREAS**, since its adoption, NBMC 3.56.010 has authorized the City Council to approve the sale or disposal of all surplus property; and

**WHEREAS**, City staff has evaluated the City’s surplus property processes for efficiency and alignment with practices used by similarly situated municipalities; and

**WHEREAS**, authorizing the sale or disposal of surplus personal property with an individual item value of \$5,000 or less without prior City Council approval would improve administrative efficiency and provide economic benefits to the City; and

**WHEREAS**, amendments to NBMC Chapter 3.56 are necessary to clearly distinguish between procedures for surplus personal property with an individual item value of \$5,000 or less, as well as the sale of surplus personal property with an individual item value in excess of \$5,000; and

**WHEREAS**, additional updates are needed to clarify general requirements related to the sale, donation, or other disposition of surplus property owned by the City; and

**WHEREAS**, revisions are also needed to address specific circumstances such as intergovernmental transfers, equipment trade-ins, and the disposition of property originally acquired for public utility purposes; and

**WHEREAS**, the City Council has determined that the proposed code revisions are in the best interests of the City of North Bend and desires to repeal and replace NBMC Chapter 3.56;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND,  
WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. NBMC Chapter 3.56 (Surplus Property), Repealed:** North Bend Municipal Code Chapter 3.56 (Surplus Property) is hereby repealed in its entirety.

**Section 2. New NBMC Chapter 3.56 (Surplus Property), Adopted:** A new North Bend Municipal Code Chapter 3.56 (Surplus Property) is hereby adopted, to replace the chapter repealed in Section 1 of this Ordinance, and shall read as set forth in Exhibit A hereto.

**Section 3. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 4. Effective Date:** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15<sup>TH</sup> DAY OF JULY, 2025.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Mary Miller, Mayor**

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**Kendra Rosenberg, City Attorney**

**ATTEST/AUTHENTICATED:**

Published: July 25, 2025

Effective: July 30, 2025

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**Susie Oppedal, City Clerk**