

ORDINANCE NO. 95-05

**AN ORDINANCE OF THE RIDGECREST
CITY COUNCIL AMENDING THE
RIDGECREST MUNICIPAL CODE AS IT
RELATES TO THE PROCUREMENT OF
LABOR AND MATERIALS TO MAKE
EMERGENCY REPAIRS TO FACILITIES**

BE IT ORDAINED BY THE RIDGECREST CITY COUNCIL as follows:

Section 1. Purpose

This ordinance amends the Municipal Code to incorporate recently enacted state legislation (Chapter 803, Stats 1994 "AB3348") dealing with the procurement of labor and material to make emergency repairs to public facilities.

Section 2. Amendment

Section 2-3.1303 is hereby added to the Municipal Code to read as follows:

"Section 2-3.1303 Procurement for Emergency Repairs

(a) Labor and material necessary for emergency repair or replacement of public facilities of the City damaged by unanticipated calamity may be undertaken without giving notice for competitive bids if provisions of this Section are followed.

(b) By 4/5's vote, the City Council may authorize procurement of labor or material without bidding to make emergency repairs or replacements. Such authorization shall be based on substantial evidence set forth in the minutes of the meeting that the emergency will not permit delay and action is necessary to respond to the emergency. The need to continue or terminate the authorization shall be reviewed at each subsequent regular meeting until the emergency subsides or the work is complete.

(c) The City Administrator may authorize the procurement of labor or material without bidding to make emergency repairs or replacements when a meeting of the City Council cannot be commenced to authorize emergency action in a timely manner. The City Administrator shall report to the City Council within seven days of the emergency or at the next regular meeting scheduled within 14 days after the action. The report shall describe the emergency and reasons justifying the emergency action. At every regular meeting following the City Administrator's action, the City Council shall determine by 4/5's vote whether the need for emergency action continues.

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Section 3. **Other**

Except as provided herein, the Ridgecrest Municipal Code is hereby reaffirmed and readopted.

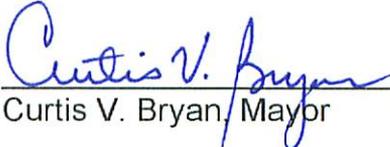
APPROVED AND ADOPTED THIS 7th day of June, 1995, by the following vote:

Ayes: Mayor Bryan, Council Members Auld, Bitney, and Lalor.

Noes: None.

Abstain: None.

Absent: Council Member Parode.


Curtis V. Bryan, Mayor

ATTEST:


Pamela Bartlett, City Clerk