

DIVISION 2. PURCHASING*

* **Editor's note**--Ord. No. 22-89/90, adopted June 4, 1990, amended Div. 2 to read as herein set out in §§ 2-155--2-174. Prior to inclusion of said ordinance, Div. 2, §§ 2-155--2-170 pertained to similar subject matter and derived from Ord. No. 9-82/83, adopted Jan. 17, 1983, and amended Feb. 8, 1983.

Charter reference(s)--Purchasing generally, Art. IV.

Sec. 2-155. Short title; applicability

This division shall be known as the "Purchasing Ordinance of the City of South Portland." Except where expressly provided otherwise, all provisions herein apply to municipal and school department purchases.

(Ord. No. 22-89/90, 6-4-90; Ord. No. 1-03/04, 7/21/03 [Fiscal Note: Less than \$1000])

Sec. 2-156. Definitions.

For the purposes of this ordinance the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) *City*: The City of South Portland.
- (2) *City council*: The council of the City of South Portland.
- (3) *City purchasing agent or agent*: The purchasing agent of the City of South Portland.
- (4) *General services*: All telephone, gas, water, electric light and power service; towel and cleaning service; insurance; leases for all grounds, buildings, office or other space required by the using departments; the rental, repair or maintenance of equipment and other city-owned personal property; and maintenance of city-owned real property. The term shall not include professional and other services which are in their nature unique and not subject to competition and shall not include arrangements for the lease or rental of any real property owned by the city.
- (5) *Equipment*: All non-consumable durable goods, including but not limited to machinery, tools, furniture and computers.
- (6) *Improvements*: All construction, reconstruction, alteration, repair, or renovation of real property owned or leased by the city.
- (7) *Supplies*: All supplies, materials and equipment as referenced in section 411 of the city charter.

- (8) *Using department:* Any department, agency, commission, bureau or other unit in the city government using supplies or procuring general services or improvements as provided for in this ordinance, except that it shall not include the school department for purposes of procuring general services nor for purposes of procuring improvements costing one thousand dollars (\$1,000.00) or less.
- (9) *Written approval:* Where written approval is required in this ordinance, this requirement may be satisfied by a written, signed statement or by electronic approval.

(Ord. No. 22-89/90, 6-4-90; Ord. #1-03/04, 7/21/03 [Fiscal note: Less than \$1000])

Sec. 2-157. City purchasing agent.

The city purchasing agent shall be the head, and have general supervision, of the division of purchases. The agent shall perform all duties required of a division head by law, and shall have the powers and duties prescribed by the ordinance.

- (1) *Position specifications.* The agent shall:
 - (a) *Appointment.* Be appointed according to the personnel policy and section 302.1 of the city charter.
 - (b) *Experience requirement.* Preferably have had, prior to his appointment, at least two (2) years experience in a purchasing office of a public or private corporation.
- (2) *Scope of purchasing authority.* The agent shall have the power and it shall be his duty:
 - (a) *Purchase or contract.* To purchase or contract for all supplies and contractual services and improvements needed by any using department of the city, in accordance with purchasing procedures as prescribed by this division and such rules and regulations as the agent shall adopt for the internal management of the division of purchasing, including the purchasing manual, and such other rules and regulations as shall be prescribed by the city manager, finance director or the city council.
 - (1) *Exceptions prohibited.* The authority to the agent to make all purchases for all using departments shall not be abridged by excepting any particular using department.
 - (2) *Unauthorized purchases.* Except as herein provided, it shall be unlawful for any city officer or officers to order the purchase of any supplies, general services or improvements or make any contract within the purview of this ordinance other than through the division of purchasing, and any purchase ordered or contract made contrary to the

provisions hereof shall not be approved by the city officials, and the city shall not be bound thereby.

- (3) *Other powers and duties.* In addition to the purchasing authority conferred in subsection (2) above and in addition to any other powers and duties conferred by this ordinance, the agent shall:
- (a) Minimize expenditures. Act to procure for the city the highest quality in supplies and contractual services at the least expense to the city.
 - (b) Encourage competition. Endeavor to obtain as full and open competition as possible on all purchases and sales.
 - (c) Rules and regulations. Establish, and amend when necessary, all rules and regulations authorized by this ordinance and any others necessary to its operation as approved by the city manager and finance director.
 - (d) Purchasing analysis. Keep informed of current developments in the field of purchasing, prices, market conditions and new products, and secure for the city the benefits of research done in the field of purchasing by other governmental jurisdictions, national technical societies, trade associations having national recognition, and by private businesses and organizations.
 - (e) Forms. Prescribe and maintain such forms as he shall find reasonably necessary to the operation of this ordinance.
 - (f) Bulk purchases. Explore the possibilities of buying "in bulk" so as to take full advantage of discounts.
 - (g) Tax exemptions. Act so as to procure for the city all federal and state tax exemptions to which it is entitled.
 - (h) Disqualification of bidders. Have the authority to declare vendors who default on their quotations irresponsible bidders and to disqualify them from receiving any business from the municipality for a stated period of time with the approval of the city manager and finance director.
 - (i) Specifications. Prepare and secure with the cooperation of the city departments standard written specifications for supplies used by the using departments.

(Ord. No. 22-89/90, 6-4-90; Ord. No. 1-03/04, 7/21/03 [Fiscal Note: Less than \$1000])

Sec. 2-158. Requisition and estimates.

All using departments, either by or with the authorization of the department head, shall file with the agent detailed requisitions or estimates of their requirements in supplies,

general services, and improvements in such manner, at such times, and for such future periods as the agent shall prescribe.

- (1) *Unforeseen requirements.* A using department shall not be prevented from filing, in the same manner, with the agent at any time a requisition or estimate for any supplies, contractual services, and improvements the need for which was not foreseen when the original detailed estimates were filed.
- (2) *Revisory power in agent.* The agent shall examine each requisition or estimate and shall have the authority to revise it as to quantity, quality or estimated cost with prior written approval by the proper authority.

(Ord. No. 22-89/90, 6-4-90, Ord. No. 1-03/04, 7/21/03 [Fiscal Note: Less than \$1000])

Sec. 2-159. Encumbrance of funds.

Except in cases of emergency, the agent shall not issue any order for delivery on a bid or other purchase until the finance director shall have certified after pre-audit that there is to the credit of the using department concerned a sufficient unencumbered appropriation balance, in excess of all obligations, to defray the amount of such order.

(Ord. No. 22-89/90, 6-4-90)

Sec. 2-160. Repealed.

(Ord. No. 22-89/90, 6-4-90, Ord. 15-98/99, 4/21/99, [Fiscal note less than \$1000])

Sec. 2-161. Competitive bidding required.

All purchases of and contracts for supplies and general services, and improvements, and all sales of real and personal property which have become obsolete and unusable shall, except as specifically provided herein, be based wherever possible on competitive bids. For purposes of this ordinance, the term "competitive bid" shall mean that three or more vendors have submitted bids. Where fewer than three bids are submitted, the purchasing agent shall state that the bid is not competitive and provide a written explanation why the purchase was not competitively bid.

The purchasing agent shall be responsible for all bid specifications for purchases subject to competitive bidding requirements, and may consult with the city departments and vendors to determine appropriate specifications. The city shall not issue bid specifications drafted by vendors who will be bidding on the item described unless the bid specifications state that allowable alternates are permissible or a reasonable explanation is provided.

(Ord. No. 22-89/90, 6-4-90, Ord. No. 1-03/04, 7/21/03 [Fiscal Note: Less than \$1000])

Sec. 2-162. Formal bidding procedure.

All supplies, general services, equipment and improvements except as otherwise provided in this ordinance, when the estimated cost thereof shall exceed ten thousand dollars

(\$10,000.00), shall be purchased by formal written bid from the lowest responsible bidder, after due notice inviting proposals. All final bid awards for non-competitively bid purchases of general services, equipment or improvements in excess of twenty thousand dollars (\$20,000.00), must be approved by the city council. The City Manager shall provide to Council on a quarterly basis a report of all expenditures between \$5,000.00 and \$20,000.00.

(1) *Notice inviting bids.*

(a) Newspaper. Notice inviting bids shall be published once in a newspaper having general circulation in the city and at least five (5) days preceding the last day set for the receipt of bids.

1. Scope of notice. The newspaper notice required herein shall include a general description of the articles to be purchased or sold, shall state where bid blanks and specifications may be secured, and the time and place for opening bids.

(b) Bidders list. The agent shall also solicit sealed bids from all responsible prospective suppliers who have requested their names to be added to a "Bidders List" which the agent shall maintain, by sending them a copy of such newspaper notice or such other notice as will acquaint them with the proposed purchase or sale. In any case, invitations sent to the vendors on the bidders list shall be limited to commodities that are similar in character and ordinarily handled by the trade group to which the invitations are sent.

(2) *Bid deposits.* When deemed necessary by the agent, bid deposits in a form satisfactory to him shall be prescribed in the bid material. Unsuccessful bidders shall be entitled to return of surety where the agent has required such. A successful bidder shall forfeit any surety required by the agent upon failure on his part to enter a contract within such time as prescribed by the agent.

(3) *Bid opening procedure.*

(a) Sealed. Bids shall be submitted in a sealed envelope to the agent and shall be identified as bids on the envelope.

(b) Opening. Bids shall be opened in public at the time and place stated in the public notices.

(4) *Rejection of bids.* The agent shall have the authority to reject any or all bids, parts of all bids, or all bids for any one (1) or more supplies, general services or improvements included in the proposed contract, when the public interest will be served thereby.

(5) *Award of bid.*

- (a) Authority in agent. The agent shall have the authority to award bids solicited under the formal bidding procedure with the written approval of the city manager, except where city council approval is required.
- (b) Lowest responsible bidder. Bids shall be awarded to the lowest responsible bidder. In determining "lowest responsible bidder," in addition to price and compliance with all applicable bid specifications, the agent, or city council where appropriate, shall consider:
 - 1. The ability, capacity and skill of the bidder to perform the bid or provide the service required.
 - 2. Whether the bidder can perform the bid or provide the service promptly, or within the time specified, without delay or interference.
 - 3. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
 - 4. The quality of performance of previous bids.
 - 5. The previous existing compliance by the bidder with laws and ordinances relating to the bid.
 - 6. The sufficiency of the financial resources and ability of the bidder to perform the bid.
 - 7. The quality, availability and adaptability of the supplies, or general services to the particular use required.
 - 8. The ability of the bidder to provide future maintenance and service for the use of the subject of the bid.
 - 9. The number and scope of conditions attached to the bid.
 - 10. Such other factors as may be indicated in writing by the agent demonstrating that the bid is not in the city's best interest and does not promote the underlying purposes of this ordinance.
- (c) Award to other than low bidder. When the award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the agent and filed with the other papers relating to the transaction.
- (d) Tie bids.

1. Local vendors. If all bids received are for the same total amount or unit price, quality and service being equal, the bid shall be awarded to the bidder whose principal place of business is located in the city.
2. Outside vendors. Where subparagraph 1 is not applicable, the agent shall award the bid to one of the tie bidders by drawing lots in public.

(6) *Prohibition against subdivision.* No contract or purchase shall be subdivided to avoid the requirements of this section.

(Ord. No. 22-89/90, 6-4-90; Ord. No.1-03/04, 7/21/03 [Fiscal Note: Less than 1000])

Sec. 2-163. Informal bidding procedure.

All purchases of supplies, contractual services, and improvements estimated to be ten thousand dollars (\$10,000.00) or less may be made in the open market, without the required newspaper advertisement and without observing the procedure prescribed by section 2-162 for the award of formal bids. The agent shall have the authority to award bids under five thousand dollars (\$5,000.00) solicited under the informal bidding procedure and shall have the authority to award such bids between five thousand dollars (\$5,000.00) and ten thousand dollars (\$10,000.00) with the prior written approval of the city manager.

- (1) *Minimum number of bids.* All informal bids shall, wherever possible, be based on at least three (3) competitive bids, and shall be awarded to the lowest responsible bidder in accordance with the standards set forth in subsection (5)(b) of section 2-162 above.
- (2) *Notice of inviting bids.* The agent shall solicit bids by (a) direct mail request to prospective vendors and (b) by telephone.
- (3) *Recording.* The agent shall keep a record of all informal bids and the bids submitted in competition thereon, and such records shall also be open to public inspection.
- (4) *Purchasing Cards.* Notwithstanding the other provisions of this section, each city department head shall have the authority to make purchases in an amount less than one thousand dollars (\$1,000.00) on so-called purchasing cards in such manner and on such cards as may be prescribed by the agent.

(Ord. No. 22-89/90, 6-4-90; Ord. No. 7-01/02, 11/5/01 [Fiscal note: less than \$1000] Ord. No. 1-03/04, 7/21/03 [Fiscal Note: less than \$1000])

Sec. 2-164. Exemption from bidding procedures--Emergency purchases.

- (1) *By agent.* In case of an apparent emergency which requires immediate purchase of supplies, general services or improvements, the city manager shall be empowered to authorize the agent to secure by the informal bidding procedure as herein set forth, at the lowest obtainable price, any supplies or general services regardless of the amount of the expenditure.

- (a) Recorded explanation. A full written report of the circumstances of an emergency purchase for an amount in excess of ten thousand dollars (\$10,000.00) shall be submitted by the city manager to the city council with a copy to the purchasing agent. This report shall be available for public inspection.
- (2) *By head of departments.* In case of actual emergency, and with the approval of the city manager, the head of any using department may purchase directly any supplies, general services or improvements whose immediate procurement is essential to prevent delays in the work of the using department which may vitally affect the life, health or convenience of citizens or employees.
 - (a) Recorded explanation. The head of such using department shall send to the city manager, with a copy to the agent, a requisition and a copy of the delivery record together with a full written report of the circumstances of the emergency. The report shall be filed with the city manager, and where the amount of the purchase exceeds ten thousand dollars (\$10,000.00), to the city council.
 - (b) Emergency procedure. The agent may prescribe by rules and regulations the procedure under which emergency purchases by heads of using departments may be made.

(Ord. No. 22-89/90, 6-4-90; Ord. No. 1-03/04, 7/21/03 [Fiscal Note: Less than \$1000])

Sec. 2-165. Exemption from bidding procedure--Special requirements.

The formal and informal bidding procedures shall not be required in connection with any purchases of supplies, general services or improvements funded or reimbursable by state or federal sources where such source requires a different procurement process to be followed and procurement is effected through or in accordance with such process.

(Ord. No. 22-89/90, 6-4-90; Ord. No. 1-03/04, 7/21/03 [Fiscal Note: Less than \$1000])

Sec. 2-166. Exemption from bidding procedure--Negotiated purchases.

Where there has been competitive bidding either formal or informal but no bids were received or the city manager has rejected all bids because the bid prices were unreasonable, the purchasing agent may negotiate for purchases if he determines:

- (1) That it is not feasible or practical to re-bid the purchase;
- (2) Each qualified and responsible supplier on the bidders' list has been notified of the city's intention to negotiate and is given reasonable opportunity to negotiate; and
- (3) The final negotiated price is the lowest negotiated price offered by any qualified and responsible supplier.

A purchase by negotiation shall be approved by the city manager or, if in excess of ten thousand dollars (\$10,000.00), by the city council.

(Ord. No. 22-89/90, 6-4-90)

Sec. 2-167. Exemption from competitive bidding--Cooperative purchasing; used equipment auctions.

- (1) The agent shall have the authority to join with other units of government in cooperative purchasing plans when the best interests of the city would be served thereby. The requirements of formal and informal bidding shall not apply to such cooperative arrangements.
- (2) The City Council may authorize the City Manager or his designee, on an item by item basis, to purchase used equipment at public auction without using either formal or informal bidding procedures where the City Council has determined:
 - (a) that to do so would be in the City's best financial interest; and
 - (b) would not undermine the legitimate public interests in competitive bidding.

Any such City Council authorization shall be supported by a written report demonstrating compliance with these standards and shall contain a maximum expenditure amount and date of expiration, and must be authorized by a vote of at least two thirds (2/3) of the Councilors present and voting.

(Ord. No. 22-89/90, 6-4-90, Ord. No. 6-93/94, 8-16-93)

Sec. 2-168. Inspection and testing.

The agent shall inspect, or supervise the inspection of, all deliveries of supplies or general services to determine their conformance with the specifications set forth in the order or contract.

- (1) *Inspection by using department.* The agent shall have the authority to authorize using departments having the staff and facilities for adequate inspection to inspect all deliveries made to such using agencies under rules and regulations which the agent shall prescribe.
- (2) *Tests.* The agent shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the agent shall have the authority to make use of laboratory facilities of any department of the city government or of any outside laboratory.

(Ord. No. 22-89/90, 6-4-90; Ord. No. 1-03/04, 7/21/03 [Fiscal Note: Less than \$1000])

Sec. 2-169. Contracts for professional and other services.

- (a) The city manager shall have the authority to contract for professional and other services which are in their nature unique and not subject to competition, provided that all such contracts in excess of ten thousand dollars (\$10,000.00), or which when added to all such contracts with the same person or entity within the current fiscal year of the city exceed ten thousand dollars (\$10,000.00), shall be approved by the city council.
- (b) The school board may contract for services as authorized by the general law.
(Ord. No. 22-89/90, 6-4-90)

Sec. 2-170. Surplus stock.

All using departments shall submit to the agent, at such times and in such form as he shall prescribe, reports showing stocks of all supplies and equipment which are no longer used or which have become obsolete, worn out or scrapped.

- (1) *Transfer.* The agent shall have the authority to transfer surplus stock to other using departments.
- (2) *Sale.* The agent shall have the authority to sell all supplies which have become obsolete, unusable, or otherwise unsuitable for public use, or to exchange the same for, or trade in the same on, new supplies or equipment. Sale of surplus property shall be accomplished by a competitive bidding procedure, open sale or auction. The type of sale shall be determined by the purchasing agent, with the approval of the city manager. Open sales and auctions may be electronic, and the purchasing agent may create a continuous electronic auction to which new supplies and equipment are added as deemed appropriate. Supplies or equipment not sold within sixty (60) days of being offered may be deemed by the purchasing agent to have no value and be disposed of in an appropriate manner. A report of all sales and the disposition of all unsold supplies and equipment shall be made to the city council.
 - (a) *Competitive bidding.* Sales under the competitive bidding procedure shall be made to the highest responsible bidder and in conformance with section 2-162. The agent shall have the authority to award bids, provided that all awards of bid of five thousand dollars (\$5,000.00) or more shall be approved by the city council.
 - (b) *Open sale.* The agent may periodically conduct an open sale of surplus supplies and equipment. The date and location of such sales shall be publicized in a newspaper of general circulation and shall be publicized in any other manner which will be likely to inform the public of the pending sale. Approval of the city council shall be required prior to the open sale of all supplies and equipment which the purchasing agent has valued at five thousand dollars (\$5,000.00) or more.

- (c) Auction. The agent may periodically conduct an auction of surplus supplies and equipment. The date and location of such auctions shall be published in a newspaper of general circulation and shall be publicized in any other manner which will be likely to inform the public of the pending auction. Approval of the city council shall be required prior to the auction of all supplies and equipment which the purchasing agent has valued at five thousand dollars (\$5,000.00) or more.

(Ord. No. 2 -89/90, 6-4-90; Ord. No. 1-03/04, 7/21/03 [Fiscal Note: Less than \$1000])

Sec. 2-171. Sale of real property.

- (1) *General policy.* The sale of all real property owned by the city, including any interests therein, shall be governed by this ordinance. As a general rule, the city shall charge fair market value for the conveyance of any interest in real property, except as specifically provided below, and convey its interest by quit claim deed.
- (2) *Classification of property interest.* For the purpose of this division, real property interests owned by the city shall be classified and the disposition of those interests shall be as follows:
 - (a) Tax acquired.
 - 1. The director of finance shall maintain a list of all tax acquired property and shall send a list of the most recent tax acquired property to the planning board each year for its recommendation as to the disposition thereof.
 - 2. The planning board shall review said annual list and forward its written recommendation to the city council indicating whether said properties should be retained by the city. The city council shall then review the planning board's recommendation and determine which properties, if any, to offer for public sale. Residential properties which are occupied by the prior owner and for which regularly scheduled payments are being made shall not be offered for sale.
 - 3. Each property to be offered for public sale shall then first be offered to the previous owner for a price to be determined by the city council; provided, however, that in no event shall such price be less than the total of all back taxes, interest, costs, and any and all other charges properly assessed thereon by the city.

4. Thereafter those properties to be offered for sale shall be put out to public bid for sale to the highest bidder; provided, however, the city shall reserve the right to establish a minimum bid, to reject any bid less than the stated minimum bid, and to establish such other conditions or restrictions on the bid or subsequent use of the property as it deems in the best interest of the city.
5. The city council shall then make an award of bid determination.

(b) City owned.

1. The sale of all real property interests not classified as "Tax Acquired" or "Streets and Rights-of-Way" shall be governed by this paragraph.
2. Any proposed sale of "city-owned" property shall first be referred to the planning board for its recommendation as to the disposition thereof.
3. After review of the planning board's written report, the city council shall decide whether to sell such property and any property to be sold shall then be put out to public bid for sale to the highest bidder, except as noted in subsection (2)(c) below; provided, however, the city may reserve the right to establish a minimum bid, to reject any bid which fails to meet the minimum bid requirement, and to establish such other conditions or restrictions on the bid or subsequent use of the property as it deems in the best interest of the city.
4. The city council shall then evaluate the bids and make an award of bid determination.

(c) Streets and rights-of-way.

1. The sale or discontinuation/vacation of property interests in streets and rights-of-way shall be governed by this paragraph and the requirements of state law.
2. The city's property interest in streets and rights-of-way shall not be sold or discontinued/vacated until the planning board has reviewed the matter and issued a written recommendation thereon to the city council.
3. The city council shall then decide whether to sell or discontinue/vacate such interests. The assessment of damages shall be left to the discretion of the city council.

- (3) *Miscellaneous considerations.* The city council may waive any of the above requirements where the public interest so requires and where i) An abutting property owner has a unique interest in the property; ii) in the case of a street or right-of-way, a replacement of equal quality is given; or iii) a charitable, nonprofit, or other governmental agency offers to purchase property to be used for a charitable, nonprofit, or governmental purpose. The city council may authorize such a waiver only upon full public disclosure and an affirmative vote of not less than five (5) councilors.
- (4) Five percent (5%) of the net proceeds (sales price less any past due taxes, interest and costs) of all real property sold pursuant to this Section shall be deposited into the South Portland Land Bank in accordance with Code of Ordinances Sec. 18-76(4).

(Ord. No. 22-89/90, 6-4-90, Ord. No. 17-91/92, 6-15-92; Ord. No. 8-033/04, 10/6/03 [Fiscal Note: less than \$1000]; Ord. No. 10-04/05, 2/23/05 [Fiscal Note: Less than \$1000])

Sec. 2-172. Lease or rental of city property.

- (a) The city manager may, on behalf of the city, enter into agreements for the lease or rental of city property, except as otherwise provided in subsection (b), for such purposes as will benefit the city. Any such agreement which is for a term of more than one (1) year, or can extend beyond a period of one (1) year, shall require city council approval.
- (b) The school board may enter into arrangements to lease school buildings as authorized by general law.

(Ord. No. 22-89/90, 6-4-90)

Sec. 2-173. Contract requirements.

All purchases of contractual services or improvements for an amount equal to or greater than one thousand dollars (\$1,000.00) shall be subject to the following requirements:

- (1) **Bonding.** For improvements equal to or greater than ten thousand dollars (\$10,000.00), a performance bond and a labor and material payment bond each in the full amount of the contract price shall be required; for improvements equal to or greater than one thousand dollars (\$1,000.00), but less than ten thousand dollars (\$10,000.00), the director of finance shall require surety in such form and amount as he deems necessary fully to protect the best interests of the city.
- (2) **Insurance.** All vendors providing general services pursuant to this ordinance shall provide the director of finance with proof of public liability and automotive liability insurance coverage with an insurance company licensed to do business in the State of

Maine each in an amount not less than four hundred thousand dollars (\$400,000.00) single limit coverage or such greater amount as may be required to protect the city's interest under the Maine Tort Claims Act, as the same may be amended from time to time, and shall also provide such workers' compensation coverage as is required by law.

(Ord. No. 22-89/90, 6-4-90; Ord. No. 1-03/04, 7/21/03 [Fiscal Note: less than \$1000])

Sec. 2-174. Separability.

In the event that any section, subsection or any portions of this ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or other portion of this ordinance.

(Ord. No. 22-89/90, 6-4-90)

Secs. 2-175--2-185. Reserved.