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RESOLUTION #34-2013

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT #**

Ordinance Amendment offered by the Administration Committee

WHEREAS, Ordinance Section 3.09, as written, has an inherent conflict as written; and

WHEREAS, Ordinance Section 3.09 requires bidding for equipment, vehicles and non-professional services in manner consistent with Wisconsin State Statute s. 59.52(29); and

WHEREAS, Wisconsin State Statute s. 59.69(29) does not require that bidding be undertaken for equipment, vehicles or non-professional services; and

WHEREAS, the conflict between State Statutes and Oneida County Code causes confusion and delay amongst county staff as they seek to make purchases for Oneida County.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS
DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 3.09 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

3.09 PURCHASING.

[Sections 3.09(1) and (2) remain unchanged]

(3) **PURCHASES BY BID.** (Amd. #39-2007)

- (a) Unless otherwise permitted by Wisconsin Statutes or this Code, all contracts for public works shall be let pursuant to Wisconsin State Statutes ~~construction, repair, building, furnishing of supplies or materials, equipment, vehicles or nonprofessional services shall be let for bid by contract pursuant to §59.52(29), Wis. Stats.,~~ as amended from time to time.

[Remainder of Section 3.09 remains unchanged]

Approved by the Committee this _____ day of _____, 2013.

Consent Agenda Item: _____ YES _____ NO

52 Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority =
53 _____

54
55 The County Board has the legal authority to adopt: Yes _____ No _____ as
56 reviewed by the Corporation Counsel, _____, Date:
57 _____

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59
60 Offered and passage moved by: _____
61 Supervisor
62 _____
63 Supervisor
64 _____
65 Supervisor
66 _____
67 Supervisor
68 _____
69 Supervisor
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73 _____ Ayes

74
75 _____ Nays

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77 _____ Absent

78
79 _____ Abstain

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82 _____ Enacted

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84 by the County Board of Supervisors this _____ day of _____, 2013.

85
86 _____ Defeated

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88
89 _____
90 Mary Bartelt, County Clerk

_____ Ted Cushing, County Board Chair

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