

ORDINANCE NO. 475 OF THE CITY OF BUCKHANNON, AN ORDINANCE
AMENDING ORDINANCE NO. 438, PROVIDING FOR THE PROCESSES BY WHICH
MUNICIPAL PURCHASING SHALL TAKE PLACE; ALLOWING THE USE OF
CERTAIN SERVICE COOPERATIVES IN PURCHASING

WHEREAS, West Virginia Code §8-12-10 empowers a municipality to provide for the central purchasing of materials, supplies, or equipment, including motor vehicles; and,

WHEREAS, the Council of the City of Buckhannon has enacted Ordinance No. 438 to provide for its own purchasing procedures; and,

WHEREAS, investigation has revealed opportunities to introduce further efficiencies and savings into the City's purchasing alternatives through the use of service cooperatives established by public agencies; and,

WHEREAS, City of Buckhannon Ordinance No. 438 does not contemplate the use of service cooperatives outside that maintained by the West Virginia Department of Administration; and,

WHEREAS, the Council of the City of Buckhannon desires to expand the number of service cooperatives in which it may participate to provide for more competitive pricing of goods and services for the benefit of the public,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – USE OF SERVICE COOPERATIVES AUTHORIZED, NOT REQUIRED:

In addition to the purchasing procedures provided for or authorized in Ordinance No. 438, any materials, supplies, or equipment - including motor vehicles - may at the discretion of the City's authorized representatives be purchased pursuant to an agreement with a *bona fide* service cooperative created by the United States of America or any state or territory thereof, for centralized purchasing for all governmental units which are parties to such agreement. Purchases made under any of these agreements are not subject to the requirements of Ordinance No. 438, but Council shall approve such purchases by motion, recorded in the minutes of the meeting whereat the Council adopted such motion.

ARTICLE II – SEVERABILITY:

In the event that any provision of this Ordinance is determined to be unconstitutional or otherwise invalid by a court exercising competent jurisdiction, such determination shall not affect the validity of this Ordinance as a whole or the provisions thereof which are not specifically determined to be unconstitutional or invalid.

ARTICLE III – EFFECTIVE DATE:

This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., October 4, 2025.

FIRST READING:

August 21, 2025

SECOND READING, PASSAGE AND ADOPTION:

September 4, 2025



Robert N. Skinner, III, Mayor

CERTIFICATE OF ENACTMENT

I, Randall H. Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 475 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on September 4, 2025.



Randall H. Sanders, City Recorder