

**ORDINANCE 2003-52**  
**Passed September 16, 2003**

**AN ORDINANCE ESTABLISHING A PROCEDURE FOR THE SOLICITATION OF PROFESSIONAL DESIGN SERVICES.**

**WHEREAS,** Council has determined that it is desirable to set forth a procedure for the solicitation of professional design services, such services generally defined as services provided within the scope of practice of an architect or landscape architect or professional engineer or surveyor as otherwise defined by the Ohio Revised Code, and

**WHEREAS,** in accordance with Section 1.03 of the Charter of the Municipality of Powell, the Municipality has all powers of local self government and the benefit of Municipal home rule that may now or hereafter be lawfully possessed or exercised by Municipal Corporations under the Constitution and the laws of the State of Ohio. All such powers shall be exercised in the manner prescribed in the Charter or, to the extent that the manner is not prescribed herein, in such manner as shall be provided by Ordinance or Resolution of the Council, and

**WHEREAS,** the Charter being silent regarding the solicitation of professional design services, Council has determined to prescribe the criteria set forth herein.

**NOW THEREFORE BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

Section 1: That the procedure set forth herein shall not apply in case of:

- a. Any instance or project deemed to be an emergency by the Municipal Manager, or
- b. Any instance or project with estimated professional design fees less than Fifty Thousand dollars (\$50,000).
- c. Prior approval and finding by Council that an eligible design firm is qualified to provide services and determined to be the most qualified shall be valid for any subsequent project.

Section 2: The Municipal Manager shall periodically at the discretion of the Municipal Manager advertise in a newspaper of general circulation in the community for professional design service individuals or firms seeking a statement of qualifications, experience and any other information deemed relevant by the Municipal Manager to evaluate the design firm on a particular project or generally.

Section 3: From time to time as determined by the Municipal Manager, eligible design firms shall be presented to Council on an as needed basis for any project.

Section 4: From time to time, Council and/or the Municipal Manager as directed by Council shall obtain updated information of professional design firms registered with the Municipality.

Section 5: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 6: That this Ordinance shall take effect at the earliest period allowed by law.

VOTE ON RULE SUSPENSION:

Y 7

N 0

VOTE ON ORDINANCE 2003-52:

Y 7

N 0

Art Schultz 9/17/03  
Date

Art Schultz  
Mayor

Dawn Nauman 9/17/03  
Date

Dawn Nauman  
Clerk of Council

This ordinance or resolution has been posted in  
three (3) public places as defined in ordinance

44-11 dated 4-3-94  
on this date 9-19-03

Dawn Nauman  
Clerk of Council

