

PROPOSED AMENDMENT TO CODE OF ORDINANCE
CHAPTER 2, ARTICLE V TOWN PROPERTY

Date: 8/17/10

Amendment in bold italics

Sec. 2-161. Surplus property

a) Surplus property valued at \$5,000 or less

The Town Clerk is hereby authorized, pursuant to G.S. 160A-266(c), to dispose of any surplus personal property owned by the Town whenever the Town Clerk determines that:

- (1) The item or group of items has a fair market value of less than five ***thousand*** ~~hundred~~ dollars (~~\$500.00~~ ***\$5,000***);
- (2) The property is no longer necessary for the conduct of public business; and
- (3) Sound property management principles and financial considerations indicate that the interest of the town would best be served by disposing of the property.

(Ord. of 7-16-85, § 1)

State law references: Method of sale of personal property authorized, G.S. § 160A-266(c).

b) Surplus personal property valued at more than five thousand dollars (\$5,000)

The Town Council shall authorize, pursuant to G.S. 160A-266(c), the disposal of any surplus personal property owned by the Town whenever it is determined that:

- (1) The item or group of items has a fair market value of five thousand dollars (\$5,000.00) or more;***
- (2) The property is no longer necessary for the conduct of public business; and***
- (3) Sound property management principles and financial considerations indicate that the interest of the Town would best be served by disposing of the property.***

(Ord. of 7-16-85, § 1)

State law references: Method of sale of personal property authorized, G.S. § 160A-266(c).

Sec. 2-162. Disposal of surplus property.

a) Surplus property valued at five thousand dollars (\$5,000) or less

The Town Clerk may dispose of any such surplus personal property by any means which the clerk judges reasonably calculated to yield the highest attainable sale price in money or other considerations, including but not limited to the methods of sale provided in G.S. article 12, chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period. The clerk shall consider the following options:

Trade in towards purchase of new vehicle or equipment
Advertisement for sealed bids
Private negotiation and sale
Negotiated offer, advertisement (newspaper or town website) or public auction
(Ord. of 7-16-85, § 2)

Items valued between five hundred dollars (\$500) and five thousand dollars (\$5000) shall be placed on the Town's website as available for purchase prior to disposal with the exception of a vehicle to be used as a trade in.

2) Surplus personal property valued at more than five thousand dollars (\$5,000)
The Town Council shall direct disposal of any such surplus personal property by the following means:

Trade in towards purchase of new vehicle or equipment
Advertisement for sealed bids
Private negotiation and sale
Negotiated offer, advertisement (newspaper or town website) or public auction

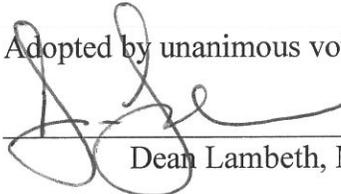
Sec. 2-163. Sale of surplus property.

The surplus property shall be sold to the party who tenders the highest ~~offer~~ offer, or exchanged for any property or services useful to the town if greater value may be obtained in that manner. The town clerk is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Town Clerk may retain the property, obtain any reasonably available salvage value or cause it to be disposed of as waste material. No surplus property may be donated to any individual or organization except by resolution of the Town Council.
(Ord. of 7-16-85, § 3)

Sec. 2-164. Reports on surplus property.

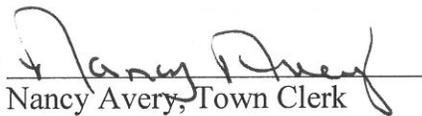
The Town Clerk shall, on or before the first day of February, report in writing to the Town Council on any property disposed of under these provisions from July 1 through December 31 of the previous year. The Town Clerk shall, on or before the first day of August, report in writing to the Town Council on any property disposed of under these provisions from January 1 through June 30 of that year. The written report shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange since the last such report was submitted.
(Ord. of 7-16-85, § 4)

Adopted by unanimous vote of council on 8/7/10.



Dean Lambeth, Mayor





Nancy Avery, Town Clerk