

**TITLE 20**

**MISCELLANEOUS**

**CHAPTER**

**1. PROPERTY SURPLUS POLICY.**

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**PROPERTY SURPLUS POLICY**

**SECTION**

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**20-101. Title.** This chapter shall be known as the "Town of Vonore Surplus Property Policy" and shall be official guidelines for the sale of the Town's surplus properties. (Res. #20-07, March 2020)

**20-102. Authority to declare property as surplus to the town's needs.** Any member of the Town of Vonore, the town manager, any department head, the town's property manager, or the town's purchasing manager may nominate any town-owned property for disposal or sale as surplus property. All such nominations shall be made on forms developed by the town<sup>1</sup> and signed by the person making the nomination. Signed nominations shall be forwarded to the Town of Vonore Board of Mayor and Aldermen for the final decision authorizing the sale. It shall be the official policy of the Town of Vonore that no town-owned property shall be sold, or offered for sale, as surplus property without prior authorization by the board of mayor and aldermen. The board's authorization to sell surplus property shall be in the form of a resolution. (Res. #20-07, March 2020)

**20-103. Unauthorized sales.** Any employee of the Town of Vonore found to have sold, or offered for sale, any town-owned property in violation of the

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<sup>1</sup>The Surplus Property Nomination Form for the Town of Vonore may be found in the recorder's office.

Town of Vonore Surplus Property Policy shall be subject to disciplinary action and, if applicable, criminal prosecution. (Res. #20-07, March 2020)

**20-104. Surplus property nomination form.** The town recorder shall develop a form which shall be used by town officials to nominate surplus property for sale. As a minimum, such form shall contain the following information:

- (1) A brief description of the item proposed for sale, including manufacture, model number, serial number, age, and condition;
  - (2) The department of office to which the property is assigned;
  - (3) An explanation of why the property is no longer needed by the town;
  - (4) An estimate of the current in-place value of the property; and
  - (5) The name and signature of the person making the nomination.
- (Res. #20-07, March 2020)

**20-105. Surplus property criteria.** All signed surplus property nomination forms shall be promptly forwarded by the town recorder to the board of mayor and aldermen. Before classifying any property as being surplus, the board of mayor and alderman shall consider the following:

- (1) The age and condition of the property;
- (2) The cost of replacing the property, if any;
- (3) The anticipated remaining life of the property;
- (4) The estimated value of the property;
- (5) Whether the property might reasonably, safely, and efficiently be used by another department of office within the town. (Res. #20-07, March 2020)

**20-106. Sales procedures.** Unless otherwise directed by the board of mayor and alderman, all surplus property approved for sale shall be sold according to the following procedure:

- (1) The police chief shall be wholly and solely responsible for advertising and conducting all surplus property sales.
- (2) The preferred method of sale shall be a public auction, on a cash, certified check, or if applicable, debit or credit card basis. A public auction may include the use of a nationally recognized government surplus website, such as GovDeals.com or PublicSurplus.com. Sales on such websites shall include a buyer's premium so that the buyer bears the cost for using website services. When a public auction is not practical or efficient, the board of mayor and aldermen may direct the sale to take place by means of sealed bids. The opening of all sealed bids shall take place in a meeting open to all bidders and the general public.
- (3) It shall be the town's policy that sales of surplus property shall be awarded to the highest bidder.

(4) Prior to the sale, all town logos or other symbols are to be removed or destroyed from the items to be sold. (Res. #20-07, March 2020)

**20-107. Sale of dangerous property.** It shall be the policy of the Town of Vonore to avoid the sale of surplus property that might reasonably be dangerous or hazardous to the ultimate purchaser. Dangerous or hazardous items shall include, but are not limited to, the following:

- (1) Surplus firearms and other weapons. Such items may be:
  - (a) Offered for sale to a public law enforcement agency;
  - (b) Traded to a licensed firearms dealer;
  - (c) Exchanged for ammo, firearms or body armor, or legitimate law enforcement equipment;
  - (d) Destroyed, if unsafe or inoperable;
- (2) Explosives;
- (3) Volatile or highly toxic chemicals; and
- (4) Equipment and materials that cannot be operated or used safely due to obsolescence, product defect, lack of maintenance, etc.(Res. #23-11, July 2023)

**20-108. Prohibited sales.** No member of the Town of Vonore shall purchase, attempt to purchase, or otherwise take possession of any item of surplus property offered for sale by the Town of Vonore. Any employee of the Town of Vonore who purchases, attempts to purchase or otherwise takes possession of any item offered as surplus property by the Town of Vonore shall be subject to disciplinary action up to and including termination of employment. (Res. #20-07, March 2020)