

ORDINANCE #06-11:

AN ORDINANCE PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN \$5,000

THAT WHEREAS, the Village of Pinehurst has on occasion certain Village owned personal property that is no longer of use in the daily operations of the Village; and

WHEREAS, the Village Council desires to dispose of this personal property in such a manner as to secure the highest dollar value to the Village;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of Pinehurst, North Carolina, in work session assembled this 23rd day of May, 2006 as follows:

SECTION 1. The Village Manager is hereby authorized to dispose of any surplus personal property owned by the Village of Pinehurst, whenever he determines, in his discretion, that:

- a. the item or group of items has a fair market value of less than five thousand dollars (\$5,000.00);
- b. the property is no longer necessary for the conduct of public business; and,
- c. sound property management principles and financial considerations indicate that the interests of the Village would best be served by disposing of the property.

SECTION 2. The Village Manager may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of N.C. General Statutes Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

SECTION 3. The Village Council may conduct auctions of real or personal property electronically by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services. This resolution authorizes the following procedure for the auction of real or personal property electronically: Notice of an electronic auction should identify the property to be sold and set out the date, time, place and terms of the sale. The notice should also identify the electronic address where information about the property to be sold can be found and the electronic address where electronic bids may be posted.

SECTION 4. The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Village if greater value may be obtained in that manner, and the Village Manager is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Village Manager 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 Village Council.

SECTION 5. The Village Manager shall keep a record of all property sold under authority of this Ordinance and that record 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.

SECTION 6. This Ordinance is enacted pursuant to the provisions of N.C. General Statute § 160A-266(c).

THIS ORDINANCE passed and adopted this 23rd day of May, 2006.


(Municipal Seal)



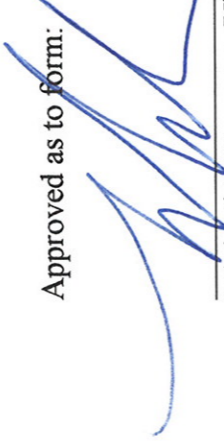
VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: 
George E. Hillier, Mayor Pro-Tem

Attest:


Linda S. Brown, Village Clerk

Approved as to form:


Michael J. Newman, Village Attorney