



Town of Southern Shores

6 Skyline Road, Southern Shores, North Carolina 27949

Phone 252-261-2394 | Fax 252-255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

Ordinance No. 2005-08-01

**AN ORDINANCE OF THE
SOUTHERN SHORES TOWN COUNCIL PRESCRIBING PROCEDURES FOR
DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN FIVE THOUSAND
DOLLARS (\$5,000)**

Dare County, North Carolina

Be It Ordained by the Southern Shores Town Council as follows:

Article I: Purpose

The purpose of this Ordinance is to amend Ordinance of Southern Shores Town Council, Dare County, North Carolina, which was originally adopted by the Town Council on October 6, 1998 and subsequently amended.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Language of the adopted Town Code shall be shown in italics (*italics*).

Article III. Amend "AN ORDINANCE PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN \$5,000"

"AN ORDINANCE PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN \$5,000", which was adopted by the Southern Shores Town Council on October 6, 1998, is hereby amended as follows:

Section 1. The ~~Town Clerk~~ Town Manager is hereby authorized to dispose of any surplus personal property owned by the Town of Southern Shores of North Carolina, whenever he or she determines, in his or her discretion, that:

- a. the item or group of items has a fair market value of less than five thousand dollars (\$5,000);*
- b. the property is no longer necessary for the conduct of public business; and,*
- c. sound and property management principles and financial consideration indicate that the interests of the Town of Southern Shores would best be served by disposing of the property.*

Section 2. ~~The Town Clerk~~ Town 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 consideration, including but not limited to the methods of sale provided in Article 12 of N.C. General Statute Chapter 160A and Article 2 of N.C. General Statute Chapter 15. Such sale may be public or private, and with or without notice and minimum waiting period as he or she determines, in his or her discretion.

Section 3. The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Town of Southern Shores if greater value may be obtained in that manner, and the ~~Town Clerk~~ Town Manager is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the ~~Town Clerk~~ Town 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 Town Council.~~

Section 4. The ~~Town Clerk~~ Town 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 exchanged.

Section 5. ~~This Ordinance is enacted pursuant to the provisions of N.C. General Statutes 160A-266 (e)~~ The Town Manager may dispose of surplus property described in Section 1. herein and in accordance with N.C. General Statute 160A-279. Any disposal of personal property in accordance with this Section shall be disclosed in writing to the Town Council not later than thirty (30) days following consummation of any such private sale.

Section 6. *This Ordinance shall become effective upon adoption.*

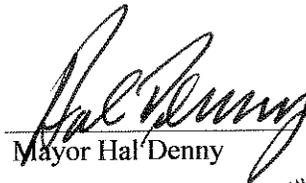
Article IV. Severability

If any words, phrases, language, section or other portion of this Ordinance is held invalid by a court of competent jurisdiction, then all remaining words, phrases, language, section or other portion of this Ordinance shall remain in full force and effect.

Article V: Effective Date

This Ordinance is effective immediately upon adoption.

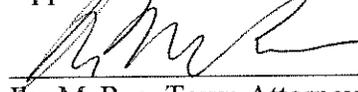
Adopted this the 2nd day of August 2005.


Mayor Hal Denny

ATTEST:


Carrie Gordin, Town Clerk

Approved as to form:


Ike McRee, Town Attorney



Date Introduced: 8/2/2005