

DISPOSAL OF TOWN PROPERTY

Chapter 5**DISPOSAL OF TOWN PROPERTY**

[HISTORY: Adopted by the Council of the Town of Middleburg 08-11-2011; amended 01-23-2020.]

5-1 Definition

For the purpose of this Chapter, unless otherwise provided, the term “surplus property” shall mean personal property owned by the Town of Middleburg including, but not limited to materials, supplies, equipment and recyclable items that have been declared surplus under the provisions of Section 5.2 of this chapter.

5-2 Declaration of Surplus Property

- A. Personal property with a value of \$499.99 or less may be declared surplus property by the Town Administrator and disposed of in accordance with the provisions of Section 5.3 of this chapter.
- B. Personal property with a value of \$500 or greater may be declared surplus property by the Town Council and disposed of in accordance with the provisions of Section 5.3 of this chapter.

5-3 Disposal of Surplus Property

As allowed under Section 15.2-951 and 2.2-1124 of the Code of Virginia, the Town may dispose of surplus property through an advertised public sale or public auction, including on-line public auctions, unless otherwise provided in Section 5-4 of this chapter.

5-4 Exceptions

Should the Town Administrator deem it appropriate, the following exceptions may be made to Section 5-3 of this chapter:

- (1) Surplus materials may be sold directly to Virginia charitable corporations granted tax-exempt status under Section 501(c)(3) of the Internal Revenue Code that operate as a children’s home.
- (2) Surplus motor vehicles may be sold directly to the Loudoun County Department of Social Services for the purpose of resale at cost to TANF (Temporary Assistance for Needy Families) recipients.

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- (3) Any dog especially trained for police work may be sold at a price of \$1 to the handler who last was in control of the dog. In addition, the immediate survivor of any full-time sworn law-enforcement officer who is (i) killed in the line of duty or (ii) dies in service and has at least ten (10) years of service may purchase the service animal at a price of \$1. [amended 1-23-2020]
- (4) Surplus computers and related equipment may be donated to public schools in the County of Loudoun or to Virginia charitable corporations granted tax exempt status under Section 501(c)(3) of the Internal Revenue Code that provide services to persons with disabilities, at-risk youth or low-income families. For the purpose of this section, “at-risk youth” shall mean school-age children approved eligible to receive free or reduced price meals in a federally funded lunch program. Prior to such donation, the memory shall be erased in all computers or information technology assets so as to delete any confidential data or personal identifying information of the citizens of the Town of Middleburg.
- (5) Surplus property with a market value of less than five hundred dollars (\$500) may be donated for a public purpose, conditioned upon the Town Council being informed of the donated items and their recipients within thirty (30) days of said donation.
- (6) When the cost of the sale will exceed the potential revenue to be derived therefrom or the surplus material is not suitable for sale, the Town Administrator may authorize other methods of disposal. [Added 1-23-2020]

5-5 Purchase of surplus property by Town employees, officers or elected officials

- A. No officer or employee of the Town of Middleburg shall purchase surplus property unless it is the result of competitive sealed bidding or competitive negotiation unless otherwise exempted under the State and Local Government Employee Conflicts of Interest Act (Virginia Code Section 2.2, Chapter 31).
- B. No person elected or appointed as a member of the governing body shall purchase surplus property unless it is the result of competitive sealed bidding or competitive negotiation unless the contract is for the sale of services or goods at uniform prices available to the public.