

# The Corporation of the Township of Whitewater Region

By-law Number 18-05-1062

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## **A by-law to establish Sale & Disposition of Surplus Vehicles & Equipment Policy**

**Whereas**, Section 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality shall adopt and maintain policies with respect to the procurement of goods and services, which includes disposal; and

**Whereas**, the Council of the Township of Whitewater Region deems it expedient and necessary to establish a surplus vehicle & equipment policy;

**Now therefore Council of the Corporation of the Township of Whitewater Region enacts as follows:**

1. That the Sale and Disposition of Surplus Vehicles & Equipment Policy is hereby established to identify the proper procedures for disposing of assets declared as surplus. Assets may be deemed surplus and eligible for disposal if they are: a) obsolete b) replaced c) worn out d) too costly to maintain; or e) no longer used.
2. That the corporate policy attached shall form a part of this by-law.
3. That any other by-law inconsistent with the provisions contained in this by-law are hereby repealed.
4. This by-law shall come into force and take effect upon the date of the final passing thereof.

**Read a first, second and third time and finally passed this 2nd day of May, 2018.**

  
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Hal Johnson, Mayor

  
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Robert H.A. Tremblay, Clerk



# Corporate Policy

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**Policy:** Sale and Disposition of Surplus Vehicles and Equipment  
**Main Contact:** CAO/Clerk  
**Last Revision:** May 2018

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## Policy Statement

The Township of Whitewater Region surplus assets are to be disposed of in as a sustainable manner as possible, with consideration to the best opportunity to maximize revenue.

## Purpose

To identify the proper procedures for disposing of assets declared as surplus. Assets may be deemed surplus and eligible for disposal if they are: a) obsolete b) replaced c) worn out d) too costly to maintain; or e) no longer used.

## Definitions

“**Appraisal**” means a written opinion of market value prepared by a person having appropriate credentials and experience, including staff.

“**CAO**” means the person appointed as the CAO for the Township of Whitewater Region or their duly authorized representative or designate.

“**Council**” means the elected officials of the Township of Whitewater Region;

“**Disposal**” means the sale of assets.

“**Employee**” means a current full-time or part-time employee of the Township of Whitewater Region but excludes volunteer firefighters.



## Corporate Policy

**“Notice”** means notice to the public in accordance with this policy.

**“Person”** means an individual or a corporation and the successors, heirs, executors, administrators, or other legal representatives of a person to whom the context may apply according to law.

**“Sale”** includes a lease of 21 years or longer.

**“Surplus Asset”** means goods, materials, vehicles & equipment that are no longer required by the user department not including real property.

**“Township”** means the Corporation of the Township of Whitewater Region.

**“Treasurer”** means the person appointed as the Treasurer for the Township of Whitewater Region or their duly authorized representative or designate.

### Policy Requirements

#### 1.0 Disposal

- 1.1 The Township will dispose of all surplus assets in a manner which minimizes the environmental impact and maximizes the financial return to the Township and fully complies with any environmental and safety issues.
- 1.2 The disposal of all surplus assets must be approved by the department manager and the Treasurer.
- 1.3 For disposal of computer equipment and office equipment, all hard drives/memories must be cleared of Township information prior to disposal.
- 1.3 Managers are encouraged to give notice of surplus assets to all departments prior to disposal, to ensure that the asset is not required by another department.
- 1.4 Surplus assets with little or no market value (including recycling market value) are to be destroyed/disposed of in a safe and environmentally acceptable manner.
- 1.5 For usable items with an estimated individual value of \$1,000 or less, the Manager may approve that the surplus asset be disposed of by providing it to an interested school or non-profit corporation, association, or entity at no cost thereto, or by way of sale to another municipality or through an auction. Any unwanted items or unclaimed items may be disposed of at the discretion of the Manager. Optional disposal methods include:
  - Online auctions or resale web sites
  - Recycling (for revenue if available)

- Sale to another municipality, organization or individual where it is deemed fair market value is being received.
- 1.6 For usable items with an estimated individual value in excess of \$1,000, the Manager, in consultation with the CAO, will determine the method of disposal that will maximize the revenue potential. Items are disposed of “as is and where is” with no further liability on the part of the Township and purchasers must be made aware of these conditions. Optional disposal methods include:
- Third party auctions
  - Online auctions or resale web sites, such as Govdeals.com
  - Recycling (for revenue if available)
  - Sale to another municipality, organization or individual where it is deemed fair market value is being received
  - Dismantling for partial sale
  - Other methods that may be approved by Council.
- 1.7 All funds from the sale of surplus assets are to be accounted for as revenue for the Township and will be assigned to the appropriate reserve fund as determined by the Treasurer.
- 1.8 An appraisal and a minimum bid shall be established for any surplus assets with a market value greater than \$5,000.
- 1.9 Notice of surplus assets shall be provided at a minimum on the Township's website and by other means, if any, as determined by the CAO depending on the asset.
- 2.0 Exclusions and Prohibitions**
- 2.1 Council may approve an alternate disposal process from those identified in this policy especially as it may relate to unique opportunities or emergency situations.
- 2.2 Land is excluded from this policy.
- 2.3 Surplus assets cannot be sold to any member of Council or employee of the Corporation or to a sibling, spouse or child of any member of Council or an employee of the Corporation, unless the asset is disposed of through govdeals.com.
- 2.4 Trade-ins are not permitted.
- 2.5 Disposal of assets at no cost to businesses or individuals is prohibited when the surplus asset has a reasonable market value.



# Corporate Policy

## Monitoring

The CAO/Clerk shall be responsible for receiving complaints and/or concerns related to this policy.

## Authority

Section 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality shall adopt and maintain policies with respect to the procurement of goods and services, which includes disposal.

## Contact

CAO/Clerk  
P.O. Box 40, 44 Main Street  
Cobden ON K0J 1K0  
(613) 646-2282

## Change History

Policy Name	Effective Date	Significant Changes	By-law No.
Sale and Disposition of Surplus Vehicles and Equipment	May 2018	New policy	2018-05-1062