

ORDINANCE NO. 2024- _____

**AN ORDINANCE ESTABLISHING AUTHORITY
FOR DISPOSAL OF EXCESS VILLAGE PERSONAL PROPERTY**

WHEREAS, from time to time, the Village maintains and stores items of personal property (non-real estate property) that become unneeded and unnecessary for Village operations, and as such are considered excess Village property (the “Excess Property”); and

WHEREAS, under Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), the Village has the authority to dispose of Excess Property in any manner seen fit by the Village Board, including by advertising for sale, requesting sealed bids, live or internet based auction, direct sales, or any other means found appropriate, while also trading in the Excess Property as part of a purchase of new Village property; and

WHEREAS, the Village Board hereby seeks to establish guidelines for the disposal of Excess Property to ensure efficient and timely removal of Excess Property and to clarify when items must be reviewed by the Village Board prior to disposal; and

WHEREAS, the Village Board hereby further finds that it is in the best interests of the Village to implement the following procedures for disposing of Excess Property owned and maintained by the Village;

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF YATES CITY, KNOX COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The designated Village Officials may dispose of excess or unneeded village personal property as provided herein. This Ordinance does not apply to Village owned or controlled real property (real estate). As used herein, the term “Excess Property” shall mean any equipment, vehicles, or other items of personal property that is owned by the Village, but is no longer necessary or useful to the Village or in the best interests of the Village to retain.

Section 2. Excess Property that is valued at \$1,000.00 or more shall only be disposed of by the Village upon approval by motion of the Village Board in such manner as the Village Board deems appropriate .

Section 3. Excess Property that is valued at \$2,500.00 or more shall only be disposed of by the Village upon approval by adopted ordinance of the Village Board in such manner as the Village Board deems appropriate.

Section 4. Any titled vehicle, regardless of value, shall only be disposed of by the

Village upon approval by adopted ordinance by the Village Board in such manner as the Village Board deems appropriate.

Section 5. Excess Property that is valued less than \$1,000.00, as such value is reasonably determined by the Village President or the Village President's designee, may be disposed of by the Village with the consent and at direction of the Village President or the Village President's designee. Excess Property having only salvage value may be disposed of for its salvage value as determined herein.

Section 6. Excess Property having no value, as such value is reasonably determined by the Village President or the Village President's designee, may be discarded in any reasonable manner.

Section 7. Unless otherwise expressly provided by the Village Board, Excess Property may be disposed of by the Village President or Village President's designee in any manner with or without advertising the sale, and Excess Property may be conveyed as part payment or trade-in for other personal property useful to the Village.

Section 8. Excess Property shall not be purchased by or given to any Village Board members, Village Officials, or Village employees under any circumstance, except as provided herein. When the Village sells any Excess Property by seeking the submission of sealed bids that are opened simultaneously by the Village, Village employees may submit a bid for such Excess Property in the same manner as any member of the public is allowed to submit a bid. If the Village employee is the highest bidder, the Village employee can purchase this Excess Property from the Village. This exception shall not apply to Board members and Village Officials, or to any Excess Property valued at \$2,500.00 or more.

Section 9. This Ordinance is hereby ordered to be published in pamphlet form by the Yates City Village Clerk, and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code, while also posting a copy of this Ordinance on the Village's public notice board at the Yates City Community Center in Yates City, Illinois.

Section 10. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby superseded and repealed by this Ordinance, and any conflicts shall be governed by this Ordinance.

Section 11. This Ordinance shall be in full force and effect from and after its passage, approval, and ten (10) day period after publication in the manner provided by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF YATES CITY, KNOX COUNTY, ILLINOIS, AND APPROVED BY ITS PRESIDENT THIS ____ DAY OF _____, 2024.

APPROVED:

President

ATTEST:

Village Clerk

CERTIFICATE OF PUBLICATION

I, NEELY CARR, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the Village of Yates City, Knox County, Illinois, and that the foregoing is a true and correct copy of Ordinance 2024-_____, duly passed by the President and Board of Trustees of the Village of Yates City being entitled: “An Ordinance Establishing Authority for Disposal of Excess Village Personal Property” at a meeting held on the ____ day of September 2024, the Ordinance being a part of the official records of said Village. The foregoing Ordinance No. 2024-_____ was published by me in pamphlet form this ____ day of September 2024, by making three (3) copies thereof available on that date for public inspection. The pamphlet form this Ordinance was also posted at the Yates City Community Center, 102 W. Main St., Yates City, Illinois, commencing on September ____, 2024, and continuing for at least 10 days thereafter. Copies of such ordinance were also available for public inspection upon request from the Village Clerk.

DATED this ____ day of September, 2024.

Village Clerk