



## Local Government Property Disposal Procedures

### Sale by Public Auction (electronic auction) (G.S. 160A-270(c))

Listed below are the basic procedures required under state law for disposing of personal and real property by the public auction (electronic auction) procedure.

**For all real property regardless of value or personal property with an estimated value of \$30,000 or more:**

- Step 1 Governing board adopts resolution authorizing sale by auction. Resolution must be adopted at a regular meeting of the board (not a special or emergency meeting). Resolution must describe the property to be sold, specify the date, time, place, and terms of sale, and, for real property, state that any offer or bid must be accepted and confirmed by the governing board before the sale will be effective. For personal property, the resolution may authorize an individual officer or employee (such as the manager) to conclude the sale following the auction without further governing board action.
- Step 2 Publish advertisement for auction in a newspaper of general circulation within the jurisdiction. Notice may also be made electronically (such as posting on the unit of government's website). Notice by electronic means only must be approved by the governing board. The advertisement must give a general description of the property sufficient to identify it, the terms and conditions of sale (including whether a deposit will be required at the conclusion of the auction), a reference to the authorizing resolution adopted by the governing board, and the electronic address of the auction site. The advertisement must be published (or posted) at least 10 days before the date on which the auction opens for personal property, and at least 30 days before the date on which the auction opens for real property.
- Step 3 Conduct the auction and report the auction results to the governing board.
- Step 4 Within 30 days of the date of the auction, governing board awards to the highest responsive, responsible bidder or rejects all bids. For personal property, if the board delegated authority to complete the sale following the auction, the authorized official or employee may complete the sale after the auction without further board action.

**For personal property with an estimated value less than \$30,000:**

When disposing of personal property valued at less than \$30,000, the unit of government may operate under the "small item disposal" method authorized under G.S. 160A-266(c). If the

***Template resolutions and notices of sale are available on the School of Government's Local Government Procurement and Property Disposal microsite under "Sample Property Disposal Forms"***  
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governing board has authorized an individual official or employee to conduct sales of “small items” (those valued less than \$30,000), no governing board action is required. Items that might sell for more than \$30,000 should not be treated as “small items,” and the procedures outlined above should be followed. For more information on small item disposal, see “[Sale of Personal Property Worth Less than \\$30,000 \(“small item” disposal\)](#)”.