



Local Government Property Disposal Procedures

Sale by Public Auction (live auction) (G.S. 160A-270)

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

- 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 (electronic advertisement is not authorized for live auctions). 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), and a reference to the authorizing resolution adopted by the governing board. The advertisement must be published at least 10 days before the date of the auction for personal property, and at least 30 days before the date of the auction 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.