

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 12-1058

Being a by-law to adopt a policy to govern the disposition of surplus and obsolete goods belonging to the Municipality of Temagami (Asset Disposal Policy)

WHEREAS under Section 8. (1) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

AND WHEREAS the Council of the Corporation of the Municipality of Temagami deems it desirable to have a policy to govern disposal of materials and equipment that are obsolete or surplus to the needs of the Municipality;

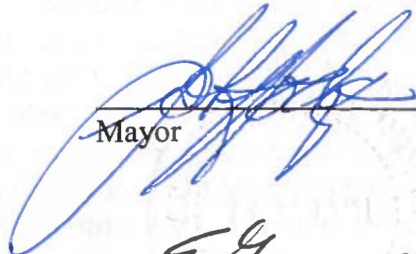
NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

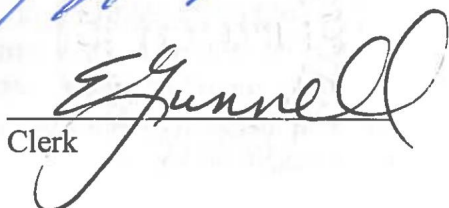
1. That the Municipality hereby adopts the MUNICIPAL ASSET DISPOSAL POLICY attached hereto as Schedule "A" to and forming part of this bylaw.
2. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to this by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
3. That this bylaw shall come into force and take effect upon final passing thereof.

BE TAKEN AS READ A FIRST time on this 26th day of April 2012.

READ A SECOND AND THIRD time and finally passed this 26th day of April 2012.

Note:
for land
disposition
see by-law
03-549.


Mayor


Clerk

Schedule "A" to Bylaw 12-1058

Municipality of Temagami ASSET DISPOSAL POLICY

Definitions:

For the purpose of this policy:

Surplus goods: Shall mean material, equipment, or parts including capitalized equipment, which are in excess of normal operating or repair requirements.

Obsolete Goods: Shall mean material, equipment, or parts including capitalized equipment, which are no longer useable in the service for which they were purchased and which cannot be utilized safely or economically for any other purpose by the municipal department that acquired them, but shall not include *Used Consumable Supplies* as defined below.

Used Consumable Supplies: Shall mean small items normally intended to be consumed or used up in the regular course of business, such as pens, pencils, non-rechargeable batteries, etc. that have reached the end of their anticipated serviceable life.

Policy:

Where any goods are surplus to or considered obsolete by any department of the Municipality, the Department Manager shall submit to the CAO, with a copy to the Treasurer, a list of said items, providing a description of each item, its condition and its approximate value. The Department Manager shall also circulate said list to other departments. Where surplus / obsolete goods can be used by another department, the CAO may authorize their transfer to that department. If a capital asset is transferred to another department, the CAO shall advise the Treasurer so that it can be recorded in the appropriate department. If more than one department desires to acquire the surplus asset, the CAO shall determine which department shall acquire it.

Where surplus or obsolete goods cannot be used by any municipal department, they shall be declared "surplus assets" and the method of disposal shall be evaluated on a case by case basis. Where the determined value of a surplus asset is over \$100, this shall be done in consultation with the Chief Administrative Officer.

The Chief Administrative Officer shall have the authority to sell, exchange, or otherwise dispose of goods declared as surplus to the needs of the Municipality. Where it is cost effective and in the best interest of the Municipality to do so items, or groups of items, may;

- i. be sold by external advertisement, formal request, public auction, or public sale (where it is deemed appropriate, a reserve price may be established); or
- ii. be sold or traded to the original supplier or others in that line of business, or to a scrap dealer, where it is determined that a higher net return will be obtained than by following other procedures; or
- iii. be donated to a non-profit agency or local board; or
- iv. be recycled; or

- v. in the event that all efforts to dispose of goods by sale are unsuccessful, these items may be scrapped or destroyed if recycling is unavailable.

When municipal goods are sold or donated to parties external to the Municipality, the Municipality shall require a waiver of any liability pertaining to goods disposed of. The receiver shall acknowledge in writing that the goods have been sold "as is" without any warranty of condition or suitability for the intended purpose.

Municipal employees, Council and Committee members may acquire surplus assets as a member of the public participating in an auction or sealed bid process.

All funds received from the sale or disposal of any surplus assets shall be deposited into the general bank account of the Municipality of Temagami. The Treasurer shall be advised when assets are sold or disposed of even if there are no proceeds from the disposal. Allocation of proceeds realized by the sale or other disposal of surplus assets shall be determined by the Treasurer, but shall generally be recorded in the department that acquired the asset.

All asset disposal and proceeds shall be reported to the Municipal Council annually.

All surplus / obsolete materials, equipment and parts remain the property of the Municipality of Temagami until disposed of in accordance with this policy.