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| ***REPLACE WITH YOUR MASTHEAD*** | | |
| **VFIS logo black JPG** | **SOG Title:** | |
| **SOG Number:** | |
| **Original Date:** | **Revision Date:** |
| **ABC Fire Department General Operating Guideline** | | |

**Conveyance, Sale and Disposition of Property**

***This is a sample of a standard operating guideline (SOG) on this topic. You should review the content, modify as appropriate for your organization, have it reviewed by your leadership team and if appropriate your legal counsel. Once adopted, make sure the SOG is communicated to members, implemented and performance monitored for effective implementation.***

**Policy:**

To control and manage the organization’s real property assets.

**Purpose:**

Real or personal property of the \_\_\_\_\_\_\_\_\_\_\_ may be sold, conveyed, and disposed of by its board of directors or fire chief when the board of directors or the fire chief declares that the district no longer has use therefore, subject to the following procedure.

**Scope:**

This applies to all members in the organization.

**Procedure:**

* The \_\_\_\_\_\_\_\_\_\_\_\_ shall be responsible for any real property (structures and contents if owned by the fire company).
* The \_\_\_\_\_\_\_\_\_\_\_\_ shall be responsible for any asset owned by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
* The Fire Company membership (body) shall have final approval on the sale or disposition of any structures consistent with the by-laws.
* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall have the ability, by majority vote to direct the \_\_\_\_\_\_\_\_\_\_\_\_\_ to sell or donate any other items, owned by the fire company.
* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_ may, upon identifying any equipment unusable or unsafe, that was purchased with \_\_\_\_\_\_\_\_\_\_\_\_ funds, dispose of the equipment in the following manner:
  + If no longer usable, destroy or dispose of in a safe and acceptable manner.
  + If usable, and owned by the \_\_\_\_\_\_\_\_\_\_\_\_, return said item to the \_\_\_\_\_\_\_\_\_\_\_\_ for disposition.
  + If usable and purchased with municipal funds, first review the disposition with the \_\_\_\_\_\_\_\_\_\_\_\_ and if no value is seen to the fire company, the item may be donated to another 501c3 or 501c4 organization.
  + If unusable and purchased with municipal funds, first review the disposition with the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and if no value is seen to the fire company, the item may be disposed of in a safe and acceptable manner.
* If in the opinion of the board, any such personal property does not exceed \_\_\_\_\_\_\_\_\_\_\_\_\_ in value, the same may be sold without independent appraisal, notice, or competitive bids.
* All such real property, and any such personal property that the board determines to exceed \_\_\_\_\_\_\_\_\_\_\_\_\_\_ in value, shall be appraised by a certified appraiser who shall be selected by the board. It may then be sold at public or private sale to the highest bidder for cash at not less than its appraised value, after due notice. If the property cannot be sold for the appraised value after reasonable efforts have been made, the board may then sell the property for adequate and valuable consideration as determined by the board.
* Due notice of sale shall be accomplished if the notice shall describe the property to be sold (legal description, if real property), state the appraised value thereof (by separate items, if so appraised), and specify the time, place and conditions of sale.
* Said notice shall be published in a newspaper having general circulation in the district at least twice, the first publication thereof to be not less than \_\_\_\_\_\_\_\_\_\_ days preceding the day of sale.
* If such property is sold on terms, the board may contract for the sale of the same for a period of years not exceeding ten (10) years, with an annual rate of interest on all deferred payments not to exceed twelve percent (12%) per annum. The title to all property sold on contract shall be retained in the name of the district until full payment has been made by the purchaser. Any property sold by the board under the provisions of this section, either for cash or on contract, shall be assessed by the county assessor in the same manner and upon the same basis of valuation as though the purchaser held a record title to the property so sold. The board shall have authority to cancel any contract of sale, pursuant to law, if the purchaser shall fail to comply with any of the terms of such contract, and retain all payments paid thereon. The board may by agreement with the purchaser modify or extend any of the terms of any contracts of sale, but the total period of years shall not exceed ten (I0) years.
* Upon final payment pursuant to the sale of such real property, the president and secretary, pursuant to resolution of the board, shall duly execute and deliver an appropriate deed to the purchaser, and upon the accomplishment of the sale of such personal property, the president and secretary, pursuant to resolution of the board, shall duly execute and deliver an appropriate bill of sale to the purchaser.

***This is a sample guideline furnished to you by VFIS. Your organization should review this guideline and make the necessary modifications to meet your organization’s needs. The intent of this guideline is to assist you in reducing exposure to the risk of injury, harm or damage to personnel, property and the general public. For additional information on this topic, contact your VFIS Risk Control representative.***

**References:**

King of Prussia (PA) Volunteer Fire Company policy on Conveyance, Sale and Disposition of Property