

**BICKNELL TOWN**

**ORDINANCE NO. 03-07-2024**

**AN ORDINANCE FOR ESTABLISHING DISPOSAL OF TOWN-OWNED  
PROPERTY**

**WHEREAS**, it is the desire of the Town of Bicknell to establish an ordinance for the disposal of town-owned property; and

**WHEREAS**, the Town, pursuant to Utah Code Annotated §10-8-2 and subject to subsections §10-8-2(4) and §10-8-2(5), has the authority to purchase, receive, hold, sell, lease, convey, and dispose of real and personal property for the benefit of the municipality, whether the property is within or without the municipality's corporate boundaries, if the action is in the public interest and complies with other law.

**THEREFORE**, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BICKNELL, WAYNE COUNTY, STATE OF UTAH:

**1. Purpose:**

1.1 The purpose of this chapter is to establish procedures for disposal of town owned real property.

**2. Authority**

2.1 Bicknell Town shall have the authority to purchase, receive, hold, sell, lease, convey, and dispose of real and personal property for the benefit of the town, whether the property is within the town's corporate boundaries, if the action is in the public interest as provided by Utah Code Annotated, section §10-8-2.

**3. Definitions:**

3.1 TOWN OWNED REAL PROPERTY:

Any parcel of real property owned exclusively by the town not otherwise subject to any state, federal or local laws or regulations or contracts affecting its disposition.

3.2 DISPOSAL:

Alienation of real estate by sale, trade, or other transfer of title.

3.3 SIGNIFICANT PARCEL:

Any parcel of real property with an estimated fair market value of fifty thousand dollars (\$50,000.00) or more, which estimation may be done without a formal appraisal at the discretion of the mayor and council.

**4. Public Hearing:**

4.1 Prior to the disposal of a parcel of real property deemed to be of significant value, the Town shall hold a public hearing and receive public comment in connection therewith.

4.2 Notice of such public hearing shall be made by publication in the local newspaper and on the Utah Public Notice website at least fourteen (14) days before the date of the hearing.

4.3 The town shall take comments from any person appearing at such hearing or by written comment received in the office of the town recorder before the date and time of such public hearing.

4.4 The notice of public hearing shall include the date, time and place of the meeting as well as the price or manner in which the town proposes to dispose of the real property in question.

### **Saving Clause**

If any provision(s) of this ordinance shall be held or deemed to be invalid, inoperable, or unenforceable for any reason, such shall not have the effect of rendering any other provision(s) invalid, inoperable, or unenforceable to any extent. The remainder of the provisions herein shall be deemed to be separate, independent, and severable acts of Bicknell Town.

### **Effective Date**

The provisions of this ordinance shall become effective when passed and approved by the Bicknell Town Council and after any required posting and/or publication has been accomplished according to law.

PASSED, APPROVED, ADOPTED and ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Bicknell TOWN

By: \_\_\_\_\_  
Noreen Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Kelsey Brinkerhoff, Town Clerk

Roll Call Vote:

Gregg Anderson	Yes	No
Steve Albrecht	Yes	No
Weston Johnson	Yes	No
Kerry Stevens	Yes	No