

82.083 Definition --Sale or other disposition of city property.

- (1) As used in this section, "independent appraisal" means an appraisal made by:
 - (a) An individual or organization not affiliated with the city or its officers or employees, using a generally accepted national or professional standard; or
 - (b) A city's officers or employees using a nationally published valuation of property based on the most recent edition of the publication.
- (2) A city may sell or otherwise dispose of any of its real or personal property.
- (3) Before selling or otherwise disposing of any real or personal property that has any value, the city shall make a written determination setting forth and fully describing:
 - (a) The real or personal property;
 - (b) Its intended use at the time of acquisition;
 - (c) The reasons why it is in the public interest to dispose of it; and
 - (d) The method of disposition to be used.
- (4) Real or personal property may be:
 - (a) Transferred, with or without compensation, to another governmental agency;
 - (b) Transferred, with or without compensation, for economic development purposes, which shall include but not be limited to real property transfers for the elimination of blight;
 - (c) Sold at public auction following publication of the auction in accordance with KRS 424.130(1)(b);
 - (d) Sold by electronic auction following publication of the auction, including the uniform resource link (URL) for the site of the electronic auction, in accordance with KRS 424.130(1)(b);
 - (e) Sold by sealed bids in accordance with the procedure for sealed bids under KRS 45A.365(3) and (4);
 - (f) Traded towards the purchase of the same or similar type of property, if the trade-in value received equals or exceeds the actual fair market value of the property as determined using an independent appraisal as defined in subsection (1) of this section;
 - (g) Sold for its appraised fair market value or a greater amount if the property is valued at ten thousand dollars (\$10,000) or less in an independent appraisal. Property sold under this paragraph may not be sold to a city officer or employee or family member of a city officer or employee as defined in the city's ethics ordinance adopted under KRS 65.003;
 - (h) Notwithstanding subsection (3) of this section, sold for scrap or disposed of as garbage in a manner consistent with the public interest if the property has no value, or is of negligible value as determined by an independent appraisal;
 - (i) Sold by the Finance and Administration Cabinet under an agreement with the city; or
 - (j) Notwithstanding subsection (3) of this section, when the property is an animal used in service by the city, given to the animal's primary handler or trainer, without the payment of compensation, when the animal is retired or is no

longer capable of performing service to the city.

- (5) If a city receives no bids for the real or personal property, either at public or electronic auction or by sealed bid, the property may be disposed of, consistent with the public interest, in any manner deemed appropriate by the city. In those instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made.
- (6) Any compensation resulting from the disposal of this real or personal property shall be transferred to the general fund of the city.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 63, sec. 4, effective June 29, 2023. -- Amended 2016 Ky. Acts ch. 22, sec. 1, effective July 15, 2016. -- Created 2004 Ky. Acts ch. 153, sec. 1, effective July 13, 2004.