Cumberland Town Council

Resolution 2019-07

Disposition of Police Vehicle

Whereas, the Town is in possession of certain police vehicles that are no longer needed and are no longer fit for its intended purposes; and

Whereas, the Town Council finds that it is in the best interest of the Town to engage an auctioneer to advertise and conduct a public auction of the vehicles; and

Whereas, Notice of the Sale shall be made at least 15 days prior to the date of the sale and specifically list the time, place, terms of sale, and a detailed description of the property, all in accordance with Indiana Code § 5-3-1; and

Whereas, the auctioneer, if one is used, engaged to advertise and conduct the sale shall be paid from the gross proceeds of the sale before payment of other expenses or liens; and

Whereas, if the vehicles to be sold are a model year of 1994 or after and is painted in a color scheme of more than one color, the Town shall provide the prospective purchaser(s) with notice required under Indiana Code §5-22-22-9 to ensure the person promptly repaints the vehicle before use on a public highway in Indiana.

Therefore, it is resolved that the property, listed in Exhibit A, is no longer need or is no longer fit for its intended purposes.

It is further resolved the Chief of Police is authorized to either engage an auctioneer to advertise and conduct the sale of the property or to dispose of the property as the agent of the Town, in accordance with Indiana Code § 5-22-22.

Resolved the 20th day of March, 2019.
Cumberland Town Council:

Joe Siefker, President

Anna Pea, Vice President

Brian Gritter, Member

Nicole Bell, Member

Aaron Cutshaw, Member

Attest:

Erica Salmon, Clerk Treasurer

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Exhibit A

Vehicle 1: 2009 Ford Crown Victoria (VIN) 2FAHP71V89X113684

Vehicle 2: 2005 Ford Crown Victoria (VIN) 2FAFP71W45X132713

Notice to Purchaser

To whom it may concern,

You are a prospective purchaser of a former Town of Cumberland Police vehicle to be sold at public auction pursuant to Indiana Code § 5-22-22. You are hereby notified of the following state law:

If the model year of the vehicle purchased is 1994 or later and the vehicle is painted in a color scheme of more than one color and the purchaser of the vehicle is:

(1) a person who will operate the vehicle on a public highway in Indiana, the person must, before the vehicle is operated on a public highway in Indiana, repaint the vehicle in a monochrome color scheme or a color scheme that does not duplicate the color scheme of an Indiana law enforcement vehicle;

(2) a person who will sell or otherwise transfer the vehicle to another person who will operate the vehicle on a public highway in Indiana, the person must, before the vehicle is sold or otherwise transferred to the other person to be operated on a public highway in Indiana, repaint the vehicle in a monochrome color scheme or a color scheme that does not duplicate the color scheme of an Indiana law enforcement vehicle;

(3) a person who will sell or otherwise transfer the vehicle to another person who will not operate the vehicle on a public highway in Indiana, the person is not required to repaint the vehicle before the vehicle is sold or otherwise transferred to the other person;

(4) another governmental body, the governmental body is not required to repaint the vehicle before the vehicle is operated on a public highway in Indiana.

A person who violates this section commits a Class C infraction.

**Citation:** Indiana Code § 5-22-22-9.

Sincerely,

Micheal Crooke, Chief of Police
Town of Cumberland

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