

Town of Norway

Policy for the Disposition of Tax Acquired Property

(adopted September 1, 2011)

1. Title: This policy shall be known as the “Town of Norway Policy for the Disposition of Tax Acquired Property”.
2. Authority: This policy is enacted pursuant to Title 30A, #3001; and Title 36 #941-943 of the Maine Revised Statutes Annotated. Enactment of this policy shall also replace any and all previous policies.
3. Purpose: The purpose of this policy is to provide the select-board with guidance and rules to follow when deciding the appropriate disposition of tax acquired property. At least the following options will be considered in the best interest of the town.
 - Consider allowing the former owner to re-acquire the property as prescribed in section 7.
 - If an individual can prove that he or she is the sole heir in the case where the former owner is deceased, he or she may redeem the property under the same circumstance as the former owner.
 - The property may be retained for public use so long as the public benefit is clearly stated and a public hearing is held.
 - The property may be sold by public bid.
4. Retention of Property: The select-board may retain tax acquired property for the benefit of the town if the property is deemed in the best interest of the town to do so. The board may site the following or other reasons at a public hearing where retention of the property is considered.
 - Retention of the property if the intended use will be consistent with the town's comprehensive plan.
 - Retention of the property has or will have either an esthetic, recreational or economic benefit to the the town. Retention of the property to be used in the future for commercial and/or economic development is allowed by this policy.
 - The property to be retained will provide a current or future public facility or addition to a public facility.
 - Retention of the property will provide some other benefit to the town that the Select-board will state at the public hearing that is held prior to deciding to retain the property
 - When making the decision to retain tax acquired property, the select-board will consider costs of doing so, including loss of tax revenue, cost of maintenance and insurance of the property and any other relevant impacts on the town.
5. Redemption: If the select-board determines that it is not in the town's best interest to retain a property under Section 4, the property may be redeemed to the taxpayer who lost the property. The former owner must pay the town the full amount for all years of all taxes, fees and interest that have been billed or have not been collected by the town as well as the estimated taxes for the year after April first but before the fall tax bill is mailed.

6. Sale: If a property is not retained under Section 4 or redeemed under Section 5, then the property shall be sold by public bid advertised at least two weeks in advance of the sale in at least the Advertiser Democrat and on the town's web page. The former owner of the tax acquired property shall be notified by certified mail and his or her last known address at the time the add is placed.

7. Award of Bids: In consideration of the award of the bid shall normally make the award to the highest bidder, but may consider other bids in the best interest of the town. When the highest bid is not successful, the select-board must indicate by majority why not. No award of any bid will be made to a select-board member or the town manager, tax collector or deputy tax collector, or the treasurer or deputy treasurer, or member of their immediate families. The select-board may set conditions of the sale that are in the best interest of the town so long as those conditions and the reasons for the conditions are clearly stated.