

ORDINANCE NO. 928

AN ORDINANCE RELATING TO THE DISPOSITION OF
UNCLAIMED PROPERTY IN THE POSSESSION OF
THE CITY OF PRINEVILLE

The people of the City of Prineville, Oregon, do ordain as follows:

Section 1. Whenever the Chief of the Prineville Police Department has sufficient property to make the sale thereof financially feasible, in his possession, the ownership of which is unknown, and which is unclaimed for thirty (30) days after the said property came into his possession, he shall request authority to dispose of it as provided in this ordinance.

Section 2. The City Council shall act upon the request of the Chief of Police within thirty (30) days after the receipt of the request. If the request is to have the property disposed of by public sale and if the Council approves the request, the Chief of Police shall cause to be posted written or printed notice of sale in three (3) public places within the City at least ten (10) days before the sale. The notice shall describe the property and shall state the time and place of public sale at which the property may be purchased by the highest bidder. Until the date of the sale, the property may be claimed at the police department. If ownership is proved, the Chief of Police shall turn the property over to the owner, and cancel the sale insofar as the claimed property is concerned. Any money that comes into the possession of the Chief of Police, the ownership of which is unknown and which is unclaimed for thirty (30) days after the money came into his possession, may be transferred to the City's general fund.

Section 3. Members of the Prineville City Council and officials and employees of the City of Prineville, shall not be allowed to bid at the sale.

Section 4. The Chief of Police or his designee shall conduct the sale and shall deposit the proceeds thereof, after deducting the cost of the sale, in the City treasury to the credit of the City general fund.

Section 5. In lieu of a sale of the property under the foregoing provisions of this act, the Chief of Police, with the approval of the City Council, may transfer any portion of unclaimed property to the City for use by the City. Use by the City shall include the City using the property itself or transferring said property if the City Council determines it is advantageous to the City to transfer said property.

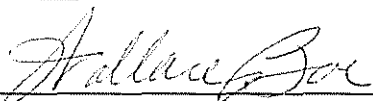
Section 6. If the property is sold as provided herein and if within six (6) months after the sale, the owner of the property files with the City Council a claim for the property and proves his right to the same, the Council shall direct that the amount received for the property, less expenses of the sale, and less the cost of any improvements to the property shall be paid to the owner from the City treasury. The council shall not approve any claims filed more than six (6) months after the sale.

Section 7. If the property is transferred to the City in lieu of sale it may be claimed by the lawful owner thereof at any time within six (6) months from the transfer to the City if the City still owns the property. Upon the payment to the City of any costs of any improvement to the property, the property shall be returned to the lawful owner. The council shall not approve any claims filed more than six (6) months after the transfer.

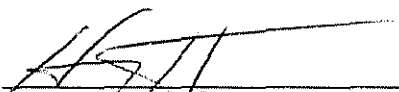
Section 8. The Chief of Police, in disposing of property in the manner provided herein, shall not be liable to the owner thereof. Any property which has been offered at auction without sale thereof and the Chief of Police deems said property to be without value may be disposed of or destroyed at the discretion of the Chief of Police.

Passed by the City Council this 25th day of October, 1988.

Approved by the Mayor this 25th day of October, 1988.



Mayor



Henry Hartley
City Administrator