

AN ORDINANCE PROVIDING FOR THE DISPOSITION OF SURPLUS, UNCLAIMED, ABANDONED, IMPOUNDED OR CONFISCATED PERSONAL PROPERTY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE:

SECTION 1. Short Title: This ordinance shall be known as the Disposition of Personal Property Ordinance.

SECTION 2. Purpose: The purpose of this ordinance is to set forth procedures for the disposition of surplus, unclaimed, abandoned, impounded or confiscated personal property.

SECTION 3. Any motor vehicle deemed to be abandoned as defined under ORS 483.380 et seq. within the corporate limits of the City of Troutdale may be taken into custody and disposed of according to the procedures set forth in ORS 483.380 to 483.396 in effect upon the date of this ordinance, including any changes thereto subsequently made. For the purpose of interpreting the aforesaid statutory provisions, the "Department of State Police" shall have the same meaning as the City of Troutdale Police; "County Roads" shall have the same meaning as "City Street"; "Outside the Corporate Limits of Incorporated Cities or Towns" shall have the same meaning as "Inside the Corporate Limits of the City of Troutdale"; "State Property" shall include City of Troutdale Property; "County" shall be interpreted to mean the City of Troutdale; and "Department" shall mean the Department of Motor Vehicles of the State of Oregon.

SECTION 4. Confiscated or impounded weapons or illegal substances: All property confiscated or impounded by any police officer shall be held under the custody of the police department of the City of Troutdale for so long as it may be necessary to be used as evidence in any Court of Law. Such property shall be held until thirty (30) days after the time has expired for appeal to the final disposition of the legal proceedings. Unless it is found by a Court of competent jurisdiction that the property should be returned to the person from whom it was confiscated or impounded, the property shall be destroyed in the presence of two witnesses and disposed of in such manner as it may not be recovered or repaired or used for its intended purpose. Upon destruction the witnesses shall certify that the property has been destroyed and such certificate shall be retained in the records of police records for not less than three (3) years.

SECTION 5. Unclaimed or abandoned personal property: In the event any personal property shall be found abandoned upon any public street or road or any public place within the City of Troutdale by a police officer, the property shall be taken into custody and stored. All other personal property found by any person and turned into the City of Troutdale shall also be stored. The Police Department shall make a record of all property so found and received and shall record the name of the finder. All abandoned property may be sold according to the procedure set forth in Section 6 if the ownership thereof is not established within 60 days after the property is found.

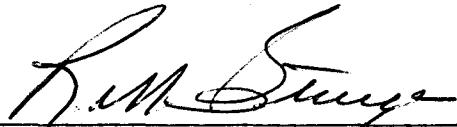
SECTION 6. Surplus personal property: All property deemed to be surplus and having a replacement value in excess of \$ 100.00 shall be collected together, stored and a record made thereof. The list of such surplus property shall be presented to the Common Council of the City of Troutdale for approval for disposal. All items approved to be sold as surplus property shall be listed and placed in a notice of sale published in a newspaper with general circulation within East Multnomah County at least once more than five (5) days prior to the date of the sale and not more than fifteen (15) days prior to the date of the sale. The aforesaid notice shall state the time, date and place of sale and all such property shall be sold to the highest bidder for cash. The sale shall be conducted by the Public Works Director or his designee. All sales shall be "AS IS" and a Bill of Sale shall be presented to any party so requesting. Property which is of an expendable nature shall not be deemed subject to this ordinance. All surplus property having a value less than that stated above shall be sold upon the same terms pursuant to a notice of sale at the discretion of the City Administrator.

SECTION 7. Repeal of Ordinance 95: Ordinance No. 95 is hereby repealed.

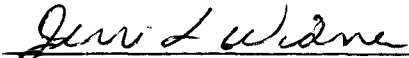
PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 10th DAY OF  
April, 1979.

YEAS: 4

NAYS: 0

  
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R. M. STURGES, MAYOR

ATTEST:

  
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TERRI L. WIDNER  
CITY RECORDER/FINANCE DIRECTOR