

ORDINANCE NO. 812

AN ORDINANCE AMENDING THE TROUTDALE MUNICIPAL CODE SECTIONS 2.52.050 AND 2.52.060, DISPOSITION OF PERSONAL PROPERTY.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Existing Troutdale Municipal Code sections 2.24.060B, 2.52.050 and 2.52.060 relate to disposition of surplus city personal property.
2. TMC Section 2.52.060 provides that city council shall approve the disposition of surplus city property.
3. The Charter establishes the office of City Manager as the administrative head of the city government. Accordingly, the Council has determined that it is in the city's best interest to delegate the authority to approve disposition of surplus personal property to the City Manager.
4. The Council has also determined that sections of the Troutdale Municipal Code should be updated to provide additional methods of commercially reasonable disposition of surplus personal property to include sale, trade-in, recycle and donation to another government agency or non-profit organization.
5. Standard operating procedures and forms will be amended to reflect the changes.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Troutdale Municipal Code, Section 2.52.050D is amended to read as follows:

D. If the city is unable to ascertain the identity of the possible owner of unclaimed personal property that is in the police department's custody, or if the owner does not respond within the time period that is required in Subsection C of this section, the unclaimed personal property shall be disposed of in the following manner:

1. If the property is valued at less than one thousand dollars, the property may be disposed of in accordance with Subsection E of this section, without further notice. Property which is perishable, which cannot be preserved at a reasonable cost, or for which a value cannot be easily and reasonably determined, shall be deemed to have a value of less than one thousand dollars.
2. If the property is valued at more than one thousand dollars, the city shall publish a notice of intent to dispose of the unclaimed personal property in a

publication of general circulation in the city. The notice shall describe the property, where it was found or abandoned, and the date before which the property must be claimed to avoid being deemed forfeited, if such information is available. The property must be claimed within thirty days after the date the notice of intent to dispose was published in the publication. If the property is not claimed within this period, the property may be disposed of in accordance with Subsection E of this section.

Section 2. Troutdale Municipal Code, Section 2.52.050E, Surplus Personal Property is amended to read as follows:

E. All unclaimed personal property may be sold, traded-in or recycled. The sale, trade-in or recycle shall be conducted by the City Manager, or designee. Unclaimed personal property that is deemed useful may be absorbed by city departments for use. When said property is no longer useful to the city, it may be sold, traded-in or recycled according to the procedure set forth in Section 2.52.060 of this chapter.

Section 3. Troutdale Municipal Code, Section 2.52.060, Surplus Personal Property is amended to read as follows:

2.52.060 - Surplus personal property.

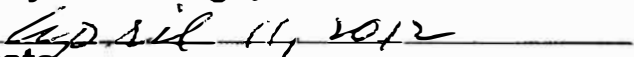
Surplus personal property shall be collected together, stored and identified on a list of surplus personal property. The list shall be presented to the City Manager or designee for approval or disapproval of sale, trade-in, recycle, or donation to a non-profit organization or another government agency. Surplus personal property that the City Manager or designee approves for sale shall be sold by the City Manager or designee, to the highest competitive bidder in a manner to be determined reasonable. The City Manager or designee may approve personal property for trade-in when the trade-in value of said property is fair and reasonable. City Manager or designee may approve personal property be recycled or donated to a non-profit organization or another government agency when the sale or trade-in value of said property to the City is negligible.


YEAS: 7

NAYS: 0

ABSTAINED: 0


Mayor Jim Kight


Date


Debbie Stickney, City Recorder
Adopted: April 10, 2012