

ORDINANCE NO. 325A

Introduced by Commissioner Henry Willener

AN ORDINANCE PROVIDING FOR THE DISPOSITION OF MOTOR VEHICLES, BICYCLES OR OTHER PERSONAL PROPERTY COMING INTO THE HANDS OF THE POLICE DEPARTMENT OF THE CITY OF WARRENTON, THROUGH ABANDONMENT BY THE OWNER, ARREST OR OTHERWISE AND DECLARING AN EMERGENCY.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. It shall be the duty of the Police Department of the City of Warrenton, whenever a motor vehicle or other personal property shall be found abandoned upon the streets of the City of Warrenton, or be found without an owner claiming the same, or shall, by reason of arrest or in any other manner, come into the hands of the Police Department without a claimant, to either place the same upon the City Hall grounds for further disposition, or store the same with some reputable motor vehicle storage yard, garage or other storage place pending investigation into the ownership of said personal property.

Section 2. The officers of the police force upon finding such vehicle or personal property or coming into possession of the same, shall make diligent inquiry of all available persons as to the name and address of the owner, conditional vendor or mortgagee or any other person interested therein and shall examine said motor vehicle or other personal property for license number, motor number, serial number, make and style, and for any other information which will aid in the identification of such motor vehicle or personal property and in the identification of the owner, conditional vendor, mortgagee or other interested person.

Section 3. If a motor vehicle, after having acquired all available information, the police department shall immediately transmit the same to the Secretary of State of the State of Oregon, with an inquiry for the name and address of the owner, conditional vendor, mortgagee or other person interested.

If the owner, conditional vendor, mortgagee or other person interested be found and identified, he shall be immediately notified by registered letter that the personal property is held by the Police Department of the City of Warrenton and will be sold at public auction at the City Hall grounds on a day certain at 10:00 o'clock in the morning of such day to the highest and best bidder for cash, which sale shall not be held until ten days have elapsed from the receipt by the owner of the registered notice.

Section 4. If the owner, conditional vendor, mortgagee or other person interested cannot be found after due diligence as herein set out, then the Chief of Police shall cause to be published in Clatsop County, Oregon, a notice embodying the foregoing information which shall be published two times, the first publication of which shall be made more than ten days before such proposed sale.

Section 5. If the owner, conditional vendor, mortgagee or other interested person shall apply to the Chief of Police before a sale shall have taken place, for the return of said motor vehicle or personal property, and shall submit to the Chief of Police satisfactory evidence of his interest therein, and shall tender with said application the costs in the seizing, keeping, and making sale of said motor vehicle or personal property, the Chief of Police upon being satisfied that the claim is rightful, shall surrender the same to the claimant.

Section 6. If no claim shall have been made before the time set for the sale of said motor vehicle or personal property, the Chief of Police shall, on the City Hall grounds, at the time appointed, within view of the motor vehicle or personal property to be sold, offer for sale and shall sell said vehicle to the highest and best bidder for cash, and in default of bids from others for a greater sum, shall bid the same in for the City of Warrenton at the amount of its costs incurred in the seizing, keeping and offering for sale of the same.

Section 7. Upon such sale being consummated, the Chief of Police shall make, execute and deliver upon behalf of and in the name of the City of Warrenton, a bill of sale signed by himself as Chief of Police of said City, conveying said vehicle to the purchaser, and coincidentally therewith shall deliver possession of such ~~motor~~ ^{PERSONAL PROPERTY} to the purchaser.

Section 8. Such sale and conveyance shall be without redemption and the proceeds thereof shall go into the general fund of the City of Warrenton.

Section 9. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 10. WHEREAS, automobiles, motor vehicles, bicycles and other personal property are on city streets the owners and claimants of which are unknown, and streets are cluttered up and sometimes dangerous and traffic hazards, an emergency is hereby declared to exist and it is declared to be for the immediate preservation of the peace, health and safety of the City of Warrenton that this ordinance take effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Commission of the City of Warrenton this 15th day of February, 1954.

Approved by the Mayor of the City of Warrenton this 15th day of February, 1954.

A. G. Garrison
Mayor

ATTEST:

E. R. Baldwin
Auditor and Police Judge.