

ORDINANCE NO. 210 N.S.

ORDINANCE REGULATING LOST OR UNCLAIMED PROPERTY AND AUTHORIZING  
THE SALE OR DESTRUCTION BY THE POLICE DEPARTMENT

The City Council of the City of El Paso de Robles  
does ordain as follows:

Section 1. DEFINITIONS.

For the purposes of this ordinance the following words and  
phrases shall have the meanings respectively ascribed to them  
by this section:

ABANDONED PROPERTY. The words "abandoned property" shall  
mean all property whose former owner has voluntarily and inten-  
tionally given up possession.

UNCLAIMED PROPERTY. The words "unclaimed property" shall  
mean all personal property that is lost, found, abandoned, stolen,  
embezzled or deposited with the police department.

Section 2. DESTRUCTION OF UNSAFE, ETC., PROPERTY.

The chief of police may destroy any unclaimed property  
deemed by him to be inimicable to the health, safety or wel-  
fare of the city.

Section 3. POLICE TO STORE; RESTORATION TO OWNER.

All unclaimed personal property coming into the possession  
of the police department shall be stored in a safe place by the  
chief of police. The chief of police shall restore such prop-  
erty to its legal owner, upon proof of such ownership satisfac-  
tory to him and upon the payment of all reasonably necessary  
costs in the care and protection thereof, unless such property  
is held by the police for evidence in a pending case in which  
event it shall be disposed of only upon order of the proper court.

Section 4. NOTICE OF AUCTION SALE OF UNCLAIMED PROPERTY.

At any time after such unclaimed property has been stored  
by the chief of police for a period of six months, the chief of  
police may publish once in a newspaper of general circulation  
in the city a notice of his intention to sell at public auction  
to the highest bidder at the time and place therein specified,

all such unclaimed personal property. At the request of the chief of police, the purchasing department shall cause the notice to be published.

Section 5. AUCTION SALE GENERALLY.

The sale mentioned in the preceding section shall be held not less than five days after the publication of the notice of the sale and each item shall be separately sold at public auction to the highest bidder, except in cases where there may be several of the same kind of articles or accessories thereof of little value, in which case they may be sold by lot or parcel. At the request of the chief of police, the purchasing department shall conduct the sale.

Section 6. EXPENSES OF SALE; DISPOSITION OF SALE RECEIPTS.

The expenses connected with the sale authorized by the preceding section shall be a proper charge against the funds of the police department and the receipts and proceeds received from the sale shall be delivered to the city treasurer for deposit in the General Fund of this City.

Section 7. UNSOLD ITEMS.

The chief of police shall report any items remaining unsold after the public auction to the chief administrative officer who shall instruct the chief what disposition shall be made thereof as he may see fit in the public interest.

Section 8. EXCEPTIONS TO CHAPTER.

The provisions of this chapter shall not apply to property subject to confiscation or special disposition under the laws of the state or of the United States of America.

PASSED and ADOPTED by the City Council of the City of El Paso de Robles this 20<sup>th</sup> day of February, 1961.

  
MAYOR

ATTEST:

  
CITY CLERK

STATE OF CALIFORNIA  
COUNTY OF SAN LUIS OBISPO  
CITY OF EL PASO DE ROBLES } SS.

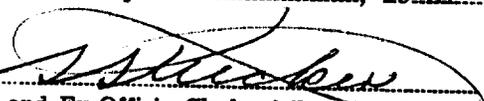
I, S. S. Tucker, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing ORDINANCE No. 240, N.S. was duly and regularly adopted, passed, and approved by the City Council of the City of El Paso de Robles, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the 20th day, of February, 19 61, by the following vote:

AYES: Councilmen Blake, Galba, Leisy, Mandella and Smith

NOES: Councilmen None

ABSENT: Councilmen None

Dated this 20th day of February, 19 61

  
City Clerk and Ex-Officio Clerk of the City Council,  
City of El Paso de Robles, State of California.