

CHAPTER X. POLICE DEPARTMENT

ARTICLE 2. PROPERTY IN POLICE CUSTODY

SECTIONS

10-201	REGULATIONS
10-202	DISPOSITION
10-203	EXEMPT PROPERTY
10-204	CLAIMING PROPERTY
10-205	PROOF OF OWNERSHIP
10-206	AUCTION
10-207	REWARD

10-201. REGULATIONS. The police department is required to establish regulations detailing the collection, storage, and inventory of property which may come under its control by any manner.

(Code 1984)

10-202. DISPOSITION. Any property which has been acquired or turned over to the police department and has been classified in accordance with procedure existing in the police department as unclaimed or for which the proper owner cannot be ascertained shall be kept for a minimum of 90 days. After a period of 90 days, such property, except as provided in Section 10-203, shall be sold at public auction to the highest bidder and the proceeds after expenses shall be paid to the city general fund.

(Code 1984)

10-203. SAME; EXEMPT PROPERTY. The following classes of property shall be considered exceptions to Section 10-202 and shall be dealt with in the following manner:

- (a) Cash money shall be turned over to the city general fund unless it shall be determined to have collector's value, in which case it shall be auctioned according to the provisions in section 10-202.

- (b) Firearms which are available for disposition may be dealt with in the following manner:
 - (1) If compatible with law enforcement usage, they may be turned over the police department inventory.
 - (2) They may be sold to a firearms dealer who maintains the appropriate federal firearms license.
 - (3) They may be destroyed.
 - (4) In no case shall firearms be sold at public auction.
- (c) Other weapons such as knives, etc., which are deemed to have a legitimate value may be sold at auction, however, homemade weapons or weapons of a contraband nature shall be destroyed.
- (d) Any items determined to be contraband such as explosives, narcotics, etc., shall be destroyed.
- (e) Items of a pharmaceutical nature, which, while not contraband when properly dispensed, or which are of an over-the-counter variety, shall be destroyed.
- (f) Foodstuffs, if sealed and undamaged may be turned over to any appropriate social service agency or destroyed, but shall not be auctioned.
- (g) Alcohol products such as beer, wine, whiskey, etc., shall be destroyed.
- (h) Items with a value in excess of \$500 may be sold after advertising said item in a general circulation newspaper on at least two occasions. Such sales shall be by closed bid.
- (i) Items of only nominal value, as determined by the chief of police, may be returned to the finder upon a finding by the chief of police that the lawful owner of the item cannot or will not be located and that return of the item to the finder is in the public interest.

(Code 1984)

10-204. CLAIMING PROPERTY. The police department shall be required to make reasonable attempts to locate the owner of any property and no property shall be released unless such reasonable proof is presented.

(Code 1984)

10-205. PROOF OF OWNERSHIP. Claimants to any property in police storage shall be required to present reasonable proof of ownership and no property shall be released unless such reasonable proof is presented.

(Code 1984)

10-206. AUCTION. At such time as it has been determined that an auction is necessary to dispose of unclaimed property, an inventory listing all property to be disposed of shall be prepared and kept on file in the police department. Notice of auction shall be published at least twice in a general circulation newspaper prior to the date of the action. The notice shall specify the date, time and place of the auction and shall also notify prospective buyers or potential claimants that a list of items to be auctioned is available at the police department and any claims on property must be made prior to the start of the auction.

(Code 1984)

10-207. REWARD. The chief of police is hereby authorized and empowered to adopt and enforce rules and regulations regarding the payment of reward monies to persons who turn over to the custody of the police department lost or stolen property. The payment of reward money in any particular instance shall be made at the discretion of the chief of police in accordance with the adopted rules and regulations and subject to the monies appropriated for such purpose in the adopted city budget.

(Code 1984)