

ORDINANCE NO. 1025

AN ORDINANCE AMENDING SECTION 2.24.030 OF THE DOUGLAS MUNICIPAL CODE FOR THE CITY OF DOUGLAS, WYOMING, REGARDING THE DISPOSAL OF FOUND PROPERTY

WHEREAS, the City of Douglas (City) Council finds and determines that the following changes need to be made in regards to the disposal of found property that comes into its possession; and

WHEREAS, consideration has been given to ensure fairness to all City of Douglas residents and to make new regulations reasonable.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLAS, WYOMING, that:

Section 1. Section 2.24.030 is struck in its entirety and hereby revised to read as follows:

2.24.030 Lost and Found Property.

- A. When any abandoned, lost, stolen or unclaimed property has been in the possession of the city for ninety (90) days and the same has not been claimed by the lawful owner, then the city may dispose of the same as hereinafter provided.
- B. Any such property, except firearms, other property retained by the police department pursuant to subsection (C) below, and cash found by another pursuant to subsection (G) below, valued at over two hundred dollars (\$200.00), shall be sold at public sale to the highest bidder. If the police department has the name and address of the purported lawful owner, at least ten (10) days prior to the sale, a copy of such notice shall be sent by certified mail to the owner at his or her last known address.
- C. All property, except firearms, valued at less than two hundred dollars (\$200.00), may be sold at public sale as provided above, or may be donated by the city to a charitable or nonprofit organization for its use or further distribution to the needy.
- D. Any property deemed useful by the Chief of Police, **and approved by City Administrator**, may be retained by the police department for its use. Any firearms that are deemed unusable or not fit for such arsenal shall be destroyed.
- E. Whenever any property is sold, disposed of or destroyed pursuant to this section, a report of such transaction will be maintained by the police department for a period of one year from the date of the action taken.
- F. The proceeds of any public sale of property, ~~after the deduction of the cost and expenses of sale,~~ shall be deposited in the general fund of the city treasury, **from which any costs or expenses from sale shall be paid.**
- G. Cash or coin that is found and delivered to the City shall be held for a period of 30 days. If, after 30 days, no person has claimed the lost funds, the money may be returned to the finder provided the finder completes a Lost and Found Finder Claim Form.
- H. Any police officer, city employee or other agent shall not be held to answer or be liable for any damages and any action brought by the lawful owner, his legal representative or any other person legally entitled to the possession of any property which was sold or disposed of as provided by this section.

Section 2. Douglas Municipal Code Sections 1.04.050, 1.04.060 and 2.08.060, by reference, are incorporated herein and made a part hereof.

PASSED AND APPROVED ON FIRST READING this 28th day of August, 2023.

PASSED AND APPROVED ON SECOND READING this _____ day of _____, 20_____.

PASSED, APPROVED AND ADOPTED ON THIRD AND FINAL READING this _____ day of _____, 20_____.

Kim Pexton, Mayor

Attest:

Mary Nicol, Deputy City Clerk

Published: _____

ATTESTATION

I, Mary Nicol, the Deputy Clerk of the City of Douglas, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

Mary Nicol, Deputy City Clerk