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RESOLUTION #83-2014

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT #**

Ordinance Amendment offered by Administration Committee

WHEREAS, Ordinance section 1.37 currently requires that the County retain unclaimed or abandoned personal property for a period of one year before it may dispose of or use that property; and

WHEREAS, State Statutes s. 66.0139 requires that abandoned or unclaimed property only be held for a period of 30 days before the County disposes or uses such property;

WHEREAS, amending the Oneida County ordinances will hasten the process of dealing with unclaimed or abandoned property for Oneida County; and

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS
DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 1.37 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

1.37 DISPOSAL OF ABANDONED PROPERTY. (Cr. #58-91; Am. #92-2012)

The County may dispose of or utilize any personal property which has been abandoned or remained unclaimed for a period of ~~one year~~ 30 days after the taking of possession of the property by County officials or employees by the following means which are determined to be in the best interests of the County:

- (1) Such abandoned property shall be inventoried in a manner which will reasonably describe it, including identification numbers; where it was abandoned; the name and last known address of the owner, if known; and its estimated fair market value.
- (2) The inventory list shall be circulated to the various departments of the County and requests for use of specific items of personal property appearing on the list may be submitted to the Public Safety Committee for review and approval as being in the best interests of the County. An inventory of such property shall be maintained and updated on an annual basis for so long as such property is utilized by any of the various County departments. The name of the department, the person in such department who is responsible for the property, the consideration received, if any, for the utilization of such property and the manner in which the property is ultimately disposed of shall be included on the inventory list. Such inventory list of such utilized property shall be kept as a public record for a period of not less than two years for each piece of property.
- (3) Any property which is not utilized by a County department as provided for above shall be disposed of in a sale open to the public under the jurisdiction of the Sheriff and the Buildings and Grounds Committee or its designee and all receipts

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from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the County treasury. Forty-five days prior to any auction the Sheriff's Department shall submit to the Buildings and Grounds Committee a list of items in the possession of the Sheriff available for sale to the public or distribution to County departments. The Committee shall thereafter disseminate the list to the County departments who shall thereafter make any requests for use of specific items to the Committee for final approval. (Am. #31-2000)

(4) Any abandoned property in the care and custody of the Oneida County Sheriff Office shall be disposed of pursuant to the policies and procedures of the Oneida County Sheriff's Office that are consistent with state and federal laws.

Approved by the Administration Committee this _____ day of October, 2014.

Consent Agenda Item: _____ YES _____ NO

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the Corporation Counsel, _____, Date: _____

Offered and passage moved by: _____
Supervisor

Supervisor

Supervisor

Supervisor

Supervisor

_____ Ayes
_____ Nays
_____ Absent
_____ Abstain
_____ Enacted

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by the County Board of Supervisors this ____ day of _____, 2014.

____ Defeated

Mary Bartelt, County Clerk

David Hintz, County Board Chair