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RESOLUTION # 92-2012

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

Ordinance Amendment offered by the Public Safety Committee

WHEREAS, the Oneida County Sheriff's Office is repository for many abandoned items; and

WHEREAS, there is limited storage space for abandoned property that the Sheriff Office is responsible to store; and

WHEREAS, allowing the Oneida County Sheriff's Office to handle abandoned property pursuant to their own policies and procedure consistent with state and federal laws, will create greater efficiency in the disposition of abandoned property.

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existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.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

The County may dispose of or utilize any personal property which has been abandoned or remained unclaimed for a period of one year after the taking of possession of the property by County ~~officers~~ 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 ~~Law Enforcement and Judiciary~~ 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 2 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 from the sale, after deducting the necessary expenses of keeping the property

52 and conducting the sale, shall be paid into the County treasury. Forty-five days
53 prior to any auction the Sheriff's Office shall submit to the Buildings and Grounds
54 Committee a list of items available for sale to the public or distribution to County
55 departments. The Committee shall thereafter disseminate the list to the County
56 departments who shall thereafter make any requests for use of specific items to
57 the Committee for final approval. (Am. #31-2000)

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

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63 Approved by the Committee this ____ day of _____, 2012.

64
65 **Consent Agenda Item: _____ YES _____ NO**

66
67 Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority =
68 _____

69
70 The County Board has the legal authority to adopt: Yes _____ No _____ as
71 reviewed by the Corporation Counsel, _____, Date:
72 _____

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75 Offered and passage moved by: _____
76 Supervisor
77 _____
78 Supervisor
79 _____
80 Supervisor
81 _____
82 Supervisor
83 _____
84 Supervisor
85 _____

86
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88 _____ Ayes

89
90 _____ Nays

91
92 _____ Absent

93
94 _____ Abstain

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97 _____ Enacted

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99 by the County Board of Supervisors this ____ day of _____, 2012.

100
101 _____ Defeated

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Mary Bartelt, County Clerk

Ted Cushing, County Board Chair