

Section 1.19. DISPOSAL OF ABANDONED PROPERTY. (Cr. Ord. #578, 3/13/24)

(A) All personal property whether abandoned, lost, found, or stolen that is delivered to the possession or control of the Chief of Police and that has remained unclaimed for a period of 30 days from the date it was delivered to the Chief is deemed to be abandoned personal property and may be disposed of by the Chief, with the Village Manager's approval, in accordance with s. 66.0139 of the Wisconsin Statutes and as permitted by this section of the ordinances. Notwithstanding the foregoing this section shall not govern disposal of property that is subject to provisions of the Wisconsin statutes applicable to dangerous or hazardous materials (Sec. 66.0139 (3), Stats.), or firearms (Sec. 968.20, Stats.), or assets seized by the Police Department that are subject to forfeiture related to certain crimes (Secs. 961.055 & 973.075, Stats.).

(B) The Police Department shall make reasonable effort efforts to notify the owner that the property is in the custody of the Police Department and may be claimed by contacting the Police Department and providing sufficient proof of ownership, except as described otherwise in this section. If no claim for ownership is made within 30 days of the date of such notice, the property may be disposed of according to this section.

(C) Property that is found by persons and delivered to the Chief of Police for purpose of locating the owner and which has not been claimed by the owner within 30 days from the date the Police Department takes custody of the property shall not be considered abandoned or unclaimed under this section until 30 days after mailing to the person finding the property a notice to claim said property. The Chief of Police shall determine what portion, if any, of the property or its value shall be given to the finder. This provision shall not apply to any Village employee finding property in the regular course of employment.

(D) Property to be disposed pursuant to this Section may be disposed by any means determined to be in the best interest of the Village, which may include sale at a public auction or sale by use of an internet auction website, as set forth in subsection (E) of this section, except that:

- (1) Any money or negotiable instruments shall be turned over to the village treasurer.
- (2) Any property deemed to be of usable value to the village or any of its departments may be assigned for use by that department.
- (3) The Chief may dispose of any property that has no economic value or that in the discretion of the chief is not saleable or remains unsold after reasonable efforts to sell such property without sale or other use by the village.

(E) In addition to a public auction, the property may be sold by use of an internet auction website. It shall not be necessary to publish a list of the articles to be sold on the internet auction website, but the Chief should give notice by posting or publishing a notice at least ten days prior to the sale on the Village's Official Bulletin Board or on the Village's Website that unclaimed property remaining at the police station which has remained unclaimed for 30 days will be sold at auction via the internet, naming the website and its web address.

(F) An inventory of all property disposed of under this section shall be kept as a public record for a period of not less than two years from the date of disposal of the property. The chief of police shall maintain a record of the date and method of disposal, including the consideration received for the property, if any, and, if applicable, the name and address of the person taking possession of the property. If the disposal is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid to the village treasurer.