

WHEATLAND TOWN CODE

CHAPTER 6.

CONFISCATED OR ABANDONED PROPERTY.*

For state law as to disposition of property seized under authority of search warrant, see W.S., 1977, § 7-7-103. As to disposition of intoxicating beverages, see W.S., 1977, § 12-3-102. As to power of town to remove and sell abandoned motor vehicles, see W.S., 1977, § 15-1-103 (a) (xii v) . As to abandonment of refrigerators, ice boxes, etc., see 13-31. As to refuse, garbage and weeds, see Chapter 17.

- § 6-1. Definitions.
- § 6-2. Disposition.
- Sec. 6-1. Definitions.

For the purpose of this chapter, the following words and phrases shall have the following meanings:

Abandoned property. Any item of personal property coming into the possession of the town, its officers or employees, which property remains unclaimed by the owner for a period of ninety days.

Confiscated property. Any item of personal property taken by any police officer of the town from any person when, under the circumstances, the possession by such person was a violation of this code, other ordinances of the Town, or a violation of the laws of the state.

(a) Any abandoned property in the possession of the town shall be sold by the town clerk in conformity with the laws of the state and the proceeds therefrom placed in the general fund.

(b) Any confiscated property shall be exhibited to the police justice who shall examine such property, record a description of the confiscated items in the docket and note the date that such property was exhibited. Upon final disposition of the case in the event of a conviction, the police justice shall, as part of the judgment, order the confiscated property turned over to the town clerk for sale or disposal.

* Prior history: Ord. Nos. 346 and 407 (Wheatland 1995)

(c) At least once during a calendar year the town clerk shall sell all items confiscated during the preceding year, except alcoholic and malt beverages, weapons and controlled substances. The property shall be sold at public auction for cash to the highest bidder after notice published by the town clerk in the official newspaper of the town one time at least ten days prior to the date of the sale. The notice shall describe the items to be sold and the time and place of the sale. All proceeds from the sale shall be placed in the general fund.

(d) Any alcoholic and malt beverages, weapons or controlled substances confiscated shall, immediately after the court order becomes final, be destroyed under the supervision of the town clerk and a law enforcement representative.