

ADOPTED

OCT 17 1983

**BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA**

ORDINANCE NO. 55A-5

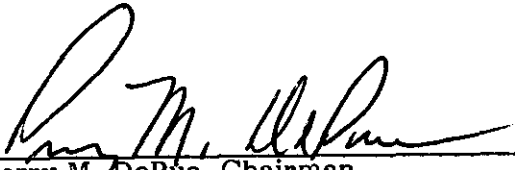
AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE IV, OFFICERS AND EMPLOYEES, SECTION 2-16 BY ADDING A NEW SECTION, 2-16.2, TANGIBLE PERSONAL PROPERTY, ABANDONED OR UNCLAIMED.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 2, Administration, of the Code of the County of James City, Article IV, Officers and Employees, Section 2-16 is amended by adding a new section, 2-16.2, Tangible Personal Property - Abandoned or Unclaimed.

Section 2-16.2. Tangible Personal Property - Abandoned or Unclaimed.


- a) Disposition generally. The Chief of Police is authorized to provide for the public sale of all unclaimed personal property which has been in possession of the County law enforcement agencies and unclaimed for a period of more than sixty (60) days. As used herein, "unclaimed property" shall be defined to include any personal property belonging to another which has been acquired by a law enforcement officer pursuant to his duties, which is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act.
- b) Public Sale. Prior to the sale of any unclaimed item, the Chief of Police, or his designee, shall make reasonable attempts to notify the rightful owner of the property, obtain from the Commonwealth's attorney a written statement advising that the item is not needed in any criminal prosecution, and cause to be published in a newspaper of general circulation in the County, once a week for two successive weeks, notice that there will be a public sale of unclaimed personal property. Such property shall be described generally in the notice, together with the date, time and close of the sale. The costs of advertisement, removal, storage, investigation as to ownership and liens, and notice of sale shall be paid from the proceeds of the sale. The balance of the proceeds shall be held by the Chief of Police, or his designee, for the owner and paid to such individual upon satisfactory proof of ownership.

In the event no claim is made by the owner for the proceeds of the sale within sixty (60) days of the sale, the after costs proceeds shall be deposited in the general fund of the County. Any owner shall be entitled to apply to the County within three (3) years from the date of sale for the after-cost proceeds of the sale. If such a timely application is made, the County shall pay the monies properly due to the owner without interest or additional charges. No claim shall be made nor any suit, action, or proceeding be instituted for the recovery of such monies after three (3) years from the date of sale.



Perry M. DePue, Chairman
Board of Supervisors

ATTEST:



James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 17th day of October, 1983.

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