

PUBLIC SAFETY COMMITTEE

08-093-0

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 40-4 AND 40-6 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO LOST, STOLEN OR ABANDONED PROPERTY.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 40-4 of the Duluth City Code, 1959, as amended, be amended to read as follows:

Sec. 40-4. Abandoned property defined.

For the purposes of this Article, property shall be deemed to be abandoned if it has been in the possession of the city or any officer or agent thereof for more than ~~six~~ two months from the date of the mailing of a written notice by the chief of police to such owner to appear and present proof of his or her ownership.

Section 2. That Section 40-6 of the Duluth City Code, 1959, as amended, be amended to read as follows:

Sec. 40-6. Sale at public auction after ~~60~~ 30 days.

If the owner of any lost, stolen or abandoned property in the possession of the city cannot be found within ~~60~~ 30 days after the date of its coming into the possession of the city, the chief of police or any duly authorized person acting under his direction shall cause such property to be sold at public auction to the highest bidder. Notice of the time and place of the holding of such auction shall be published once a week for two consecutive weeks in the official newspaper of the city.

Section 3. That this ordinance shall take effect 30 days after its passage and publication.

Approved:

Approved for presentation to council:

Department Director

Chief Administrative Officer

Approved as to form:

Approved:

Attorney

Auditor

DPD/ATTY GBJ:blj 11/13/2008

STATEMENT OF PURPOSE: This ordinance amendment reduces the period of time the city must store abandoned property from six months to two months. The amendment also reduces the period of time the city must store lost, stolen or abandoned property before it can be sold. The intent of this amendment is to bring the city in line with the abandoned property policies of other cities and to reduce storage and administrative costs.