

SUMMARY: Amends County Code by adding a procedure for holding and disposing of lost or abandoned property.

BILL NO. 775

ORDINANCE NO. 602

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING THERETO A PROCEDURE FOR THE HOLDING AND DISPOSITION OF LOST OR ABANDONED PROPERTY.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 15 of the Washoe County Code is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this ordinance.

SECTION 2.

15.XXX Purpose and scope: The provisions of sections 15.XXX to ~~15.XXX~~ are intended to provide a procedure for storing and disposing of lost or abandoned property. The provisions shall not apply to property which has an apparent value less than the reasonably anticipated costs of removing and storing it. Nothing in those sections relieves or affects the obligations of property owners or users to prevent and abate nuisances or the remedies available to the county to abate nuisances.

SECTION 3.

15.XXX Definitions. As used in sections 15.XXX to 15.XXX, the words and terms defined in this section shall have the following meanings unless the context otherwise requires.

1. "Custodian" means the sheriff, county purchasing department, private towing or storage company or any other person which has actual custody of the found property.

2. "Finder" means any person who delivers found property to the sheriff or who directs the sheriff to the location of such property.

3. "Found property" means any property of value other than real property or fixtures thereon, which is abandoned, lost or left unattended in a public place including, without limitation, a street, alley or parking lot.

SECTION 4.

15.XXX Delivery to sheriff.

1. Any person finding found property may turn such property over to the sheriff or may direct the sheriff to the location thereof.

2. If the property has an apparent value in excess of the costs of removing and storing it, the sheriff shall take possession of the property and issue a receipt to the finder acknowledging the name of the finder and the date, location and circumstances of the finding and a description of the property.

3. The sheriff may place the property in his storage facility, deliver it to the county purchasing department or deliver it to a private towing or storage company. Delivery to such a private company shall relieve the county of any further responsibility for or claim to the property except that it shall remain on the record of found property as provided in section 15.XXX.

SECTION 5.

15.XXX Record of found property, notice to owner and disposition of property.

1. The sheriff shall keep a record of all found property which contains a description of the property, the location where it was found and the name and address of the person who found and reported it. Any person claiming to have lost property may inquire to the sheriff whether or not his property has been found by or delivered to the sheriff. The sheriff need not respond to such inquiry unless it is made with detailed identification of the property and the approximate time and location where it was lost.

2. If the identity of the owner of the property is not ascertainable from the property itself and if the owner has not claimed and identified it, the sheriff or the purchasing department, whichever has actual custody, shall attempt to locate the owner. If the property has a serial or other identifying number, the attempt shall include an inquiry of any person or agency having a record of ownership. If the owner is identified, the custodian shall attempt to notify him by mailing him a notice. The notice shall inform him that the property may be claimed within 30 days after mailing of the notice upon payment of any costs and expenses incurred in removing, moving and storing and that if he does not claim the property within the 30 day period the property may be released to the finder. The notice shall also inform him that his failure to claim the property will not relieve him of liability for expenses in removing, moving and storing the property.

3. If the owner is identified and does not claim the property and pay the expenses of removing, moving and storing it within 30 days after mailing of the notice, the finder may claim the property upon payment of the expenses.

4. If the owner cannot be identified or located within 90 days after receipt of the property by the Sheriff, the finder may claim the property upon payment of costs and expenses.

5. If neither the owner nor the finder claim the property and secure its release within the times specified in this section, it becomes the property of the county.

SECTION 6.

15.XXX Disposition of unclaimed property. All unclaimed found property which becomes the property of the county shall be disposed of as provided in this section.

1. Vehicles as defined in NRS 482.135 which have not been delivered to a private company shall first be appraised by a person familiar with the value thereof. The sheriff or person in actual possession shall notify the department of motor vehicles as provided in NRS 487.250.

(a) If the vehicle is appraised at less than \$200 the county may secure a certificate of dismantling from the department of motor vehicles and keep, sell or junk the vehicle without further action.

(b) If the vehicle is appraised at more than \$200 the county may apply to the department of motor vehicles for a title and keep it for county use or sell it at public auction in conjunction with the sale of surplus county property.

2. Property other than vehicles may be kept for county use or sold at public auction in conjunction with the sale of surplus county property.

3. Property for which no bid or offers are received at public auction may be removed to a disposal facility.

Proposed on the 13th day of March, 1984.

Proposed by Commissioners Williams, King, Ritter, McDowell & Lillard

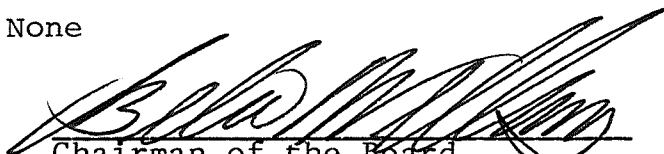
Passed on the 10th day of April, 1984.

Vote:

Ayes: Commissioners: Williams, King, Ritter, McDowell & Lillard

Nays: Commissioners: None

Absent: Commissioners: None


Chairman of the Board

ATTEST:


County Clerk

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This ordinance shall be in force and effect from and after the 23rd day of April, 1984.