

THE VILLAGE CITY CODE

CHAPTER 19

POLICE

Art. I. In General, §§ 19.1--19-20

Art. II. Stolen or Unclaimed Property, §§ 19-21--19-23

ARTICLE I. IN GENERAL

Secs. 19-1--19-20. Reserved.

ARTICLE II. STOLEN OR UNCLAIMED PERSONAL PROPERTY

Sec. 19-21. Police record.

(a) All personal property which has been found, stolen, or taken from the possession of any prisoner or person suspected of or charged with a crime which comes into the possession of any police officer and is not known to belong to some person laying claim thereto shall be delivered to the chief of police by the police officer who came into possession of the personal property. The chief of police shall make record in a record book to identify the property with the date and the circumstances and the receipt thereof, the name of the person from whom it was taken, and the place where it was found.

(b) The personal property record provided for in this section shall disclose the subsequent disposal thereof, giving the date of sale, name and address of the purchaser and the amount for which it was sold; or the date of delivery to a city department, the name of the department and the name of the supervisor of the department; or the date, place and method of its destruction and the name of two (2) officers witnessing the destruction; or the date of the delivery to the next of kin or legally appointed representative of a deceased person, and the name and address of the next of kin or legal representative.

(Ord. No. 298-A, §§ 3, 4, 8-3-82)

Cross references--Private security officers, § 11-201 et seq. Offenses against public authority, § 12-16 et seq.; Motor vehicles and traffic, Ch. 13.

State law reference--Police department generally, 11 O.S. § 34-101 et seq.

Cross reference--Stolen vehicles, § 15-39.

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### **Sec. 19-22. Disposition.**

(a) The chief of police is authorized to dispose of personal property or legal tender as provided by 11 O.S. §34-104, as amended.

(b) Any unclaimed personal property, other than animals, which has remained in the possession of the chief of police for a period of ninety (90) days and is in the nature of contraband, or is property which would constitute a health hazard if stored for a long period, or is an unsafe or illegal weapon or is a partially filled container of liquor or beer, or cannot be sold, or cannot be used by any department of the city, or is of trivial value in the opinion of the chief of police, shall be destroyed on order of the chief of police. The destruction of any personal property under the provisions of this section shall be witnessed by at least two (2) members of the city police department and these witnesses must sign a certificate of destruction which shall list all property destroyed, a general description of same, the date, time, place, and manner of destruction.

(c) The personal property of a deceased person shall be delivered only to the next of kin of such person or to the legally appointed representative of his estate. If the personal property is claimed by the legally appointed representative of the estate of the deceased, a certified copy of the order of the district court appointing such person shall be deemed sufficient authority to support the claim. If the personal property is claimed by the next of kin, the claimant shall furnish an affidavit to the effect that he is the person entitled to possession of said property; the affidavit shall be deemed sufficient authority to support the claim. If personal property of a deceased person remains unclaimed for a period of ninety (90) days, it shall be disposed of in the appropriate manner provided in this section.

(Ord. No. 298-A, §6, 8-3-82; Ord. No. 556, 7-18-00)

### **Sec. 19-23. Retention of records.**

Unless otherwise specified, all records of property under this article shall remain on file for a period of five (5) years.

(Ord. No. 298-A, §6, 8-3-82)