

ORDINANCE NO. 2373

AN ORDINANCE PROVIDING FOR THE DISPOSITION OF MOTOR VEHICLES, BICYCLES OR OTHER PERSONAL PROPERTY COMING INTO THE HANDS OF THE POLICE DEPARTMENT OF THE CITY OF ALBANY THROUGH ABANDONMENT BY THE OWNER, ARREST OR OTHERWISE.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: It shall be the duty of the police department of the City of Albany whenever a motor vehicle or other personal property shall be found abandoned upon the streets of the City of Albany, or be found without an owner claiming the same, or shall, by reason of arrest or by virtue of Ordinance No. 1422 as amended by Ordinance 2162, or in any other manner, come into the hands of the police department without a claimant, to make reasonable provisions for the storage of the same and thereupon make diligent inquiry as to the name and address of the owner, conditional vendor or mortgagee or any other person interested therein and, should the property be such that requires registration with a state agency, to examine the said property for identification by way of license number, motor number, serial number, make and style, and transmit such information to the state agency with an inquiry for the name and address of the registered owner, conditional vendor, mortgagee or other person interested.

Section 2: If the owner, conditional vendor, mortgagee or other interested persons be found or identified, he shall be immediately notified by registered letter that the property is held by the police department of the City of Albany and will be sold at public auction at the City Hall on a certain day at 10:00 A.M. to the highest bidder for cash, if the property is not redeemed prior thereto by paying the costs as hereinafter provided.

Section 3: All property coming into the hands of the police department, as provided in Section 1 of this Ordinance, shall be sold by the Chief of Police upon giving not less than ten days notice of the sale by posting said notice in three public places within the City of Albany and, in addition thereto, not less than 10 days notice as provided in section 2 if the owner, conditional vendor or mortgagee be ascertained, at public auction to the highest and best bidder at the hour of 10:00 a.m. of the designated day, within view of the property to be sold, and in default of bids from others for a greater sum, shall bid the same in for the City of Albany at the amount of costs incurred in seizing, keeping and offering for sale of the same. Upon such sale being consummated, the Chief of Police shall make, execute and deliver, together with possession of the property, a bill of sale, signed by himself as Chief of Police of the City of Albany, conveying said property to the purchaser.

Provided, however, that all property shall be subject to redemption by the owner, conditional vendor or mortgagee at any time prior to the sale by the said owner, conditional vendor or mortgagee properly identifying himself and paying all costs incurred to the date of redemption by reason of seizing, and keeping the property.

Provided, further, that sale and conveyance, as heretofore provided, shall be without redemption and the proceeds thereof shall go to the general fund of the City of Albany.

Section 4: That there is hereby imposed a charge of \$5.00 as costs of seizing and keeping any property subject to registration by a state agency and a charge of \$1.00 for seizing and keeping all other property in this ordinance provided which said charge shall be in addition to the actual costs of seizing, keeping and selling as in this ordinance provided.

Passed by the Council 7-9-52

Approved by the Mayor 7-10-52

ATTEST:

E. J. Fortman  
Recorder

Wm. B. ...  
Mayor