

1 **203-092019**

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3 **ORDINANCE: Create Section 9.42 of the General Code of Winnebago County: Abandoned**
4 **Personal Property**

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7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, §66.0139, Wis Stats, provides counties with the authority to enact ordinances governing the
9 disposal of abandoned or unclaimed personal property held by the Winnebago County Sheriff’s Department; and

10 **WHEREAS**, there is abandoned or unclaimed property held by the Winnebago County Sheriff’s Department
11 within Winnebago County; and

12 **WHEREAS**, it would be in the best interests of Winnebago County that an ordinance adopting the contents
13 of §66.0139, Wis Stats, be enacted so as to streamline the disposal of abandoned or unclaimed property.

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15 **NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WINNEBAGO**
16 **DOES ORDAIN AS FOLLOWS:** that it hereby creates Section 9.42 of the General Code of Winnebago County to
17 read as follows:

18 **9.42 ABANDONED PERSONAL PROPERTY.**

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20 (1) **AUTHORITY:** This Ordinance is created pursuant to the authority provided in §66.0139, Wis Stats.

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22 (2) **JURISDICTION:** This Ordinance shall be applicable to any abandoned or unclaimed personal property
23 held by the Winnebago County Sheriff’s Department.

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25 (3) **DISPOSAL OF PERSONAL PROPERTY:** Personal property, other than cash, which has been
26 abandoned or which remains unclaimed for a minimum period of thirty (30) days after the property is not needed for
27 evidence, shall be disposed of by any means including, but not limited to, public auction, conversion to public use,
28 donation to charity, junking, salvage, as determined by the Sheriff or designee and as determined to be in the best
29 interests of Winnebago County. If the disposal is in the form of a sale, all receipts from the sale, after deducting the
30 necessary expenses of keeping the property and conducting the sale, shall be paid to the County Treasury. The
31 recovering deputy shall attempt to return to the rightful owner such items of personal property which have substantial
32 value, if the owner can be reasonably determined.

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34 (4) **RECORDS TO BE KEPT:** If abandoned or unclaimed personal property is not disposed of in a sale open
35 to the public, the Sheriff or designee shall maintain an inventory of the property, a record of the date and method of
36 disposal including the consideration received for the property, if any, and the name and address of the person/entity
37 taking possession of the property. The inventory shall be kept as a public record for a period not less than two (2)
38 years from the date of the disposal of the property.

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40 (5) **DISPOSING OF ABANDONED OR UNCLAIMED PROPERTY:** Section 66.0139(1) through (5), Wis
41 Stats, are incorporated herein by reference and made a part of this Ordinance.

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43 (6) **EXCEPTIONS:** This Ordinance shall not apply to cash.

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45 (7) **EFFECTIVE DATE:** This Ordinance shall be effective as of November 1, 2019.

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47 Respectfully submitted by:

48 **JUDICIARY AND PUBLIC SAFETY COMMITTEE**

49 Committee Vote: **5-0**

50 Vote Required for Passage: **Majority of Those Present**

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Approved by the Winnebago County Executive this ____ day of _____, 2019.

Mark L Harris
Winnebago County Executive