

Ordinance No. _____

**AN ORDINANCE ALLOWING FOR THE STORAGE, DISPOSITION, AND USE
OF STOLEN OR ABANDONED PROPERTY BY THE CITY OF FOLEY POLICE
DEPARTMENT CONSISTENT WITH STATE LAWS**

WHEREAS, the City of Foley Police Department, from time to time, comes into possession of personal property, vehicles, and other objects that have either been abandoned by their owners or that have been recovered after being stolen; and

WHEREAS, state laws such as Sections 11-47-116 and 32-13-3 of the Code of Alabama, allow those who come into possession of stolen or abandoned property to dispose of or use the same under certain terms and conditions; and

WHEREAS, the City Council desires to allow for the for the storage, disposition, and use of stolen and abandoned property consistent with these state laws;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Foley as follows:

1. That the Chief of Police or his or her designee shall take up, document, and store such personal property, vehicles, and other objects that come into the City of Foley Police Department's care, custody, or control that were either abandoned by their owners or that are recovered after being stolen in compliance with state laws, including, but not limited to, Sections 11-47-116 and 32-13-3 of the Code of Alabama, as amended.

2. That the Chief of Police or his or her designee may dispose of, or transfer to the City for its use, said abandoned or stolen property in any manner that is then allowed by applicable state laws including, but not limited to, Sections 11-47-116 and 32-13-3 of the Code of Alabama, as amended.

3. That any and all ordinances or resolutions that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

4. That this ordinance shall take effect immediately upon its publication as required by law.

Adopted on this the ____ day of _____, 2013.

Presiding Officer

Attest:

City Clerk