

CHAPTER 17

PRIVATE PROPERTY

Article 1. Unclaimed Property

Sec. 17-1-1. Unclaimed Property.

All personal property which shall come into the possession of any police officer, which shall have been found or stolen or taken off the person or out of possession of any prisoner, or person suspected of or being charged as a criminal, and which property shall not be known to belong to some person laying claim thereto, shall be by the officer securing the possession thereof, delivered into the possession of the chief of police who shall make a sufficient record to identify said property, with the date and circumstances of the receipt of same, the name of the person from whom it was taken and the place where found. Said record shall also disclose the subsequent disposal of same, giving the date of sale, the name and address of the purchaser and the amount received from sale of such property. *(Code 1972, § 17-1.) (Amended Ord. No. 2008-07, 02/04/2008.)*

Sec. 17-2-1. Stolen property; disposal.

Any property, which may be taken possession of by the police force from any person who has stolen the same, or otherwise, shall be disposed of in the following manner: All such property shall be taken to the office of the police chief and safely kept for sixty (60) days, and if after that time the same shall not be claimed by the persons making satisfactory proof of title, the chief shall advertise the same for sale for ten (10) days by posting in three (3) of the most public places in the city. A written notice shall fully specify the article to be sold and the time when and the place where such sale will take place. At such time and place the property shall be sold to the highest and best bidder for cash. The chief of police shall keep a record showing how and when the property came into his possession, where found, and a description of the same, sufficient to identify it when claimed, and by whom, if any, when advertised for sale and when and for what amount sold and to whom delivered. All money arising from such sale shall be paid to the city treasurer. *(Code 1972, § 17-2.)*

Sec. 17-3-1. Property found by a private person.

If a person other than a public official or employee finds personal property, the finder of the property has the following options:

- (a) Retain possession of the property after registering the description of the property and the finder's identity with the police department in the permanent record book of the department described in Section 17-1-1. If the property is not claimed or identified within thirty (30) days, the police department shall within ten (10) additional days thereafter, inform the finder that the property is unclaimed and is considered the property of the finder. The police department shall retain a record of such disposition of unclaimed property.
- (b) Relinquish any future claim to the property and surrender the property to the police. If the property is not claimed or identified within thirty (30) days, then the chief of police shall sell the property as if it had been found by a public official or employee or upon instruction by the city manager deliver it to some department or office of the city government for its use. *(Amended Ord. No. 2008-07, 02/04/2008.)*

Sec. 17-4-1. Recovery by owner.

If any property is sold as herein provided, and the owner thereof takes and recovers possession of same from the purchaser, the amount paid therefore shall be returned to the purchaser upon verified claim being submitted and approved by the City Council *(Code 1972, § 17-4.)*

Note: For state law relating to finders of lost goods, see 15 O. S. 1971, §§ 511 et seq.

As regards disposal of stolen or embezzled property coming into hands of policemen, see 22 O. S. 1971, §§ 1321 et seq.

As regards disposal of liquor and gambling equipment seized by policemen, see 22 O. S. 1971, §§ 1261 et seq.