

**Article 8-5**

**SALE OF UNCLAIMED PROPERTY**

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**8-501 Authorization.**

(a) The Chief of Police or the Chief's designated officer from within the Police Department shall sell or supervise the sale at public auction any items of personal property entrusted to the care of the police department or coming into its possession in the course of its duties which may not have been redeemed or claimed or otherwise disposed in accordance with State of Wyoming Laws.

(b) This authorization shall extend to and include the sale of bicycles, watches, tools, clothing, jewelry, cameras, radios, televisions, stereos, luggage, toys, appliances, sports equipment, and other personal property of like nature.

(c) This authorization shall not extend to or include the sale of alcoholic beverages, drugs (prescription, nonprescription, controlled or counterfeit substances) or abandoned vehicles which items shall be disposed of in accordance with State of Wyoming Laws. (Ord. No. 79-14, 5-15-79).

**8-502 Records to Be Kept on All Items of Personal Property.**

A record shall be kept of all items of personal property received by the police department, showing the date received, origin and nature of receipt, address and name of owner (if available), serial or identification number or description of

property, date and to whom sold or disposed and any other appropriate recording information to adequately record the time from receipt to sale or disposal. (Ord. No. 79-14, 5-15-79).

**8-503 Sale of Personal Property.**

(a) No article may be sold that has been in the possession of the Police Department for less than thirty (30) days.

(b) Sales may be conducted once every three (3) months or after longer intervals of time up to a year, at the discretion of the Chief of Police.

(c) No sale shall be conducted except as hereinafter provided. (Ord. No. 79-14, 5-15-79).

**8-504 Notice of Sales.**

When a sale of any article is to be held, notice of the time and place of such sale shall be given at least ten (10) days prior to the date of sale in the manner following:

(a) By mailing certified notice of sale to the owners of the various articles to be sold at their last known or given address or those owners' addresses which through the exercise of reasonable diligence can be ascertained, and

(b) By publication thereof (1) time in a newspaper of general circulation in the City of Rock Springs appearing at least ten (10) calendar days prior to sale and not appearing more than twenty (20) days prior to sale, specifying the items to be sold, the place, time and terms of sale which shall provide for sale to the highest bidder without warranty of items or title other than title possessed by the City by virtue of the proceedings. (Ord. No. 79-14, 5-15-79).

**8-505 Disposition of Proceeds of Sale.**

(a) From the proceeds of sale the police department acting in concert with the City Clerk shall first pay any necessary charges of the police department paid or incurred by it or the City such as advertising notification, storage or the like.

(b) Any excess amount shall be held in trust by the Chief for the City of Rock

Springs for a period of forty-five (45) days, during which period payments (less costs of sale) may be made to owners whose property has been sold at such sale. Before payments are made, the amount of payment must first have been approved by the City Council upon valid claim and proper proof of ownership by owner.

(c) After the forty-five (45) day period, all proceeds of the sale, less costs of sale and deducting payments for claims approved by the City Council, shall be delivered to the City Treasurer on the next day of business as "Proceeds from Sale of Personal Property."

(d) The Chief shall receive and keep a receipt from the City Treasurer showing the amount remitted as "Proceeds from Sale of Property." (Ord. No. 79-14, 5-15-79).

#### **8-506 Care of Prisoners; Audit of Expenses.**

(a) The Chief of Police shall provide separate rooms for the sexes except when lawfully married, and then at the Chief of Police's sole discretion, and shall supply prisoners with wholesome food and drink, frames and bedding, sanitary facilities, suitable means for warming the jail and other necessities for the welfare of the prisoners. Expenses shall be audited and settled by the City of Rock Springs as other general City expenses.

(b) The Chief of Police shall arrange for the administration of medical care reasonably required by prisoners committed to his custody.

(c) The City of Rock Springs shall pay for reasonable and necessary medical care for:

(i) Injuries incurred by a prisoner:

(a) While in custody if the injuries are the proximate result of negligent or intentionally tortious acts committed by the Chief of Police or a member of his staff;

(b) During an arrest by the Chief of Police or a member of his staff for commission of a crime, provided the injuries were not incurred while unlawfully resisting arrest;

(c) While on work release or when performing duties assigned by the Chief of

Police or a member of his staff.

(ii) Any infectious, contagious or communicable disease which the prisoner contracts while he is in custody; or

(iii) Medical examinations required by law or court order unless the order otherwise provides.

(d) A prisoner shall pay the cost of medical treatment for:

(i) Injuries incurred by that prisoner:

(a) While in custody if the injuries are not the proximate result of negligent or intentionally tortious acts committed by the Chief of Police or a member of his staff;

(b) During the commission of a crime; and

(c) While unlawfully resisting arrest or attempting to avoid an arrest.

(ii) Self-inflicted injuries;

(iii) Pre-custodial injuries or illness;

(iv) Pre-custodial dental conditions; and

(v) Any other injuries not covered under subsection (c) of this section.

(e) A health care provider furnishing treatment to a prisoner for which the prisoner is liable for payment shall attempt to collect the cost of the treatment from the prisoner or his insurance carrier. If the provider is unable to collect the cost of medical treatment, the City of Rock Springs, following payment, may initiate proceedings to collect from the prisoner any amounts so paid. (Ord. No. 87-02, 3-17-87).