

**AN ORDINANCE ESTABLISHING A PROCEDURE FOR THE
DISPOSITION OF LOST, STOLEN, ABANDONED OR MISPLACED
PERSONAL PROPERTY**

WHEREAS, the Board of Supervisors of Pike County, Mississippi, has been made aware by the Sheriff of Pike County, Mississippi, that his office is holding certain lost, stolen, abandoned or misplaced personal property and it would be in the best interest of the county to provide a procedure whereby such property could be disposed of.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Pike County, Mississippi, that for the reasons set forth above the following resolution is hereby enacted:

1. Short Title

This Ordinance shall be known as the Disposition of Lost Stolen, Abandoned or Misplaced Personal Property Ordinance.

2. Intent

It is the intent of the Board of Supervisors and of this Ordinance to provide for a method of disposition of lost, stolen, abandoned or misplaced personal property.

3. Applicability

This Ordinance shall apply to and be in force within Pike County, Mississippi, from and after the effective date hereinafter set out and shall apply to all lost, stolen, abandoned or misplaced personal property coming into the possession of the Pike County Sheriff's Department with the exception of those items which may be forfeited by state statute.

4. Disposition of Such Property

A. The Board of Supervisors of Pike County through the Chancery Clerk upon receipt or recovery of any lost, stolen, abandoned or misplaced personal property by the Pike County Sheriff's Office, the Southwest Mississippi Interjurisdictional Narcotics Enforcement Unit or any Constable shall cause to be posted in three public places within the County, notice that such property has been received or recovered. Such notice shall contain an accurate and detailed description of such property, and if the Board of Supervisors are advised as to who owns such property, a copy of such notice shall be mailed to the last known address of such person or persons in addition to being posted as herein required. The owner of such property may recover the same by filing a claim with the Chancery Clerk of the county and establishing his or her right thereto., The Clerk

may require bond of the person claiming the property before delivering same and parties having adverse claims to said property may proceed according to law as now provided by statutes.

B. If no person claims the property within one hundred twenty (120) days from the date the notice provided for above is given, the Board of Supervisors shall cause the same to be sold at public auction to the highest bidder for cash after first posting notice of such sale in three (3) public places in the county at least ten (10) days preceding the date of such sale. The notice shall contain a detailed and accurate description of the property to be sold and shall be addressed to the unknown owners or other persons interested in the property to be sold. The notice shall also set forth the date, time and place such sale is to be conducted and shall designate the person who is to make the sale, which person shall be some official designated by the Board of Supervisors.

C. The person or officer designated and making the sale of such property shall promptly upon completion of the sale, deliver to the Chancery Clerk a copy of the notice authorizing the sale, a list of the property sold, the amount paid for each item, the person to whom each item was sold, and all moneys received from such sale, whereupon, the clerk shall deposit the moneys in the general fund of the county and shall file the information concerning the sale among the other records of his office.

D. If, within ninety (90) days after the date of the sale provided for above, any person claims to be the owner of the property sold, the Chancery Clerk shall, upon satisfactory proof of ownership, pay unto such person the amount for which such property was sold, and the Chancery Clerk may require of such person a bond in such cases as they may deem advisable. No action shall be maintained against the Chancery Clerk or any of its officers or employees or the purchaser at the sale for any property sold hereunder or the proceeds therefrom after the expiration of ninety (90) days from the date of the sale as herein authorized, and thereafter said funds received shall be tendered to the Pike County Sheriff's Department.

5. Ordinance Cumulative

This Ordinance shall be cumulative and in addition to any other laws in force at the time of its adoption, or subsequently adopted.

6. Effective Date

The Board of Supervisors of the County do hereby unanimously find that it is necessary that this Property Ordinance be made effective immediately. Accordingly, this Property Ordinance shall be in full force and effect from and after the 14th day of June, 2004, the date of this enactment.

SO RESOLVED, this the 14th day of June, 2004.

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PRESIDENT

ATTEST:

Doug Touchstone
CLERK OF THE BOARD