

(d) Locate toxic, flammable or explosive substances; or

(e) Locate weapons and instruments that may facilitate an escape from custody or endanger law enforcement personnel; or

(f) Reduce the danger to persons and property.

(3) Inventories of the personal property in the possession of such persons will be conducted according to the following procedures:

(a) An inventory will occur prior to placing such person into a holding room or a police vehicle, whichever occurs first. However, if reasonable suspicion to believe that the safety of either the police officer(s) or the person in custody or both are at risk, an inventory will be done as soon as safely practical prior to the transfer of custody to another law enforcement agency or facility.

(b) To complete the inventory of the personal property in the possession of such person, the police officer will remove all items of personal property from the clothing worn by such person. In addition, the officer will also remove all items of such personal property from all open containers in the possession of such person.

(c) A closed container in the possession of such person will have its contents inventoried only when:

(i) The closed container is to be placed in the immediate possession of such person at the time that person is placed in the secure portion of a custodial facility, police vehicle or secure police holding room; or

(ii) Such person requests that the closed container be with them in the secure portion of a police vehicle or a secure police holding room; or

(iii) The closed container is designed for carrying money and/or small valuables on or about the person including, but not limited to, closed purses, closed coin purses,

closed wallets and closed fanny packs.

(4) Valuables found during the inventory process will be noted by the police officer in a report as directed by the Chief of Police.

(5) All items of personal property neither left in the immediate possession of the person in custody nor left with the facility or agency accepting custody of the person, will be handled in the following manner:

(a) A property receipt will be prepared listing the property to be retained in the possession of the respective police department and a copy of that receipt will be tendered to the person in custody when such person is released to the facility or agency accepting custody of such person; or (b)

The property will be dealt with in such a manner as directed by the Chief of Police.

(6) All items of personal property neither left in the immediate possession of the person in custody nor dealt with as provided in subsection (5) above, will be released to the facility or agency accepting custody of the person so that they may:

(a) Hold the property for safekeeping on behalf of the person in custody; and

(b) Prepare and deliver a receipt, as may be required by ORS 133.455, for any valuables held on behalf of the person in custody.

[Section 2.836 added by Ord. 1388 enacted 05-28-96.]

MUNICIPAL LIEN SEARCH

2.850 Municipal Lien Search Fee Established. The purpose of the municipal lien search fee is to recover personnel, material and equipment costs associated with providing information and searching for municipal liens on real property. The city shall charge a uniform fee in an amount set by resolution of the City Council for each property for which a municipal lien search is

conducted by the city upon the request of a private individual, title company or other source, and said fee shall be paid in advance.

[Section 2.850 amended by Ord. 1488 adopted August 8, 2002.]

SURPLUS REAL PROPERTY SALES

2.875 Qualification--Classification.

Real property qualifying for the procedure established by sections 2.875 to 2.900 is classified as follows:

(1) Substandard Undeveloped Property. Parcels with no structures thereon which are not of minimum buildable size for the zone in which located;

(2) Standard Undeveloped Property. Parcels with no structures thereon which are of minimum or greater buildable size for the zone in which located;

(3) Developed Property. Parcels of any size with structures thereon.

(4) Special-case Property. Parcels that, notwithstanding subsections (1), (2) and (3) of this section, were acquired by the city for capital improvement as defined by this code and were purchased subject to an agreement for the manner in which any surplus would be disposed.

2.880 Disposal of Substandard Undeveloped Property.

(1) Whenever a particular parcel or parcels is proposed for sale by the city, or a purchase inquiry is made, and the property is classified as substandard undeveloped property, the matter shall be set on the regular council agenda, but no public hearing is required. Notice shall be given, however, of the agenda item to all property owners within two hundred fifty feet of the parcel and to any parties who have inquired about purchase. The council shall determine whether it will offer the property for sale and what the minimum acceptable terms of the sale shall be.

(2) If the council directs that a property is to be offered for sale, the city manager shall request bids on the property following

prescribed procedures. The minimum acceptable terms of sale shall specify that all bids are to be accompanied by a deposit in the amount of \$500 or five percent of the bid amount, whichever is larger. If the city does not accept the bid, the deposit shall be refunded. If the city accepts the bid and the purchaser neglects or refuses to comply with any terms of the sale or to make all required payments promptly, the deposit shall be forfeited by the purchaser as liquidated damages, not excluding other remedies, and disposed of in accordance with the manner approved by the city council. If no acceptable bids are received on a particular parcel and it is classified as substandard undeveloped property, the parcel will not be listed but shall remain available for sale through the city for a period of one year on the same minimum terms as established under subsection (1) of this section.

(3) After expiration of the period set out in subsection (2) of this section, the property shall be removed from the market. Any decision to sell a piece of property once it has been removed from the market shall require that the entire procedure set forth in sections 2.875 to 2.900 be repeated.

2.885 Disposal of Standard Undeveloped Property and Developed Property.

(1) Whenever a particular parcel or parcels is proposed for sale by the city or a purchase inquiry is made and the property is classified as standard undeveloped property or developed property, the matter shall be set for a hearing before the council.

(2) Notice of said hearing shall be published in a newspaper of general circulation in the city at least once and not later than one week prior to the hearing and shall describe the property proposed for sale.

(3) An appraisal may be made prior to sale for any parcel classified as standard undeveloped property or developed property, including any structure thereon. In the discretion of the council, such appraisal shall be available at or prior to the hearing or shall