

COTTONWOOD HEIGHTS

RESOLUTION No. 2017-28

A RESOLUTION AUTHORIZING DISPOSAL OF UNCLAIMED PROPERTY AND/OR PROPERTY NO LONGER NEEDED AS EVIDENCE

WHEREAS, UTAH CODE ANN. §§77-24a-1 *et seq.* (the “*Lost or Mislaid Property Chapter*”) establish the procedures for disposal of lost or mislaid property (“*Lost Property*”) that comes into the possession of a law enforcement agency; and

WHEREAS, UTAH CODE ANN. §§24-3-101 to -104 (the “*Property Held As Evidence Chapter*”) (the Property Held as Evidence Chapter and the Lost or Mislaid Property Chapter are collectively referred to herein as the “*Disposal Statutes*”) establish the procedures for disposal by a law enforcement agency of property no longer needed as evidence in connection with any public offense (collectively, “*Evidence*”); and

WHEREAS, the Cottonwood Heights Police Department (“*CHPD*”) has identified various items of Lost Property and/or Evidence (collectively, the “*Property*”) in its possession that are subject to disposition as provided in the Disposal Statutes and has requested the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) to acknowledge CHPD’s possession of the Property; to authorize CHPD to dispose of the Property; and to permit the Property or its proceeds to be applied by CHPD to a public interest use, all as provided in the Disposal Statutes; and

WHEREAS, the Council met on 25 April 2017 to consider, among other things, acknowledging CHPD’s possession of the items of Property described on the attached exhibit(s) (the “*List*”); authorizing CHPD to dispose of such items of Property; and permitting the Property or its proceeds to be applied by CHPD to a public interest use, all as provided in the Disposal Statutes; and

WHEREAS, after reviewing the List, the Council acknowledges CHPD’s possession of the items of Property listed thereon and, after careful consideration, has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to authorize CHPD’s disposal of such Property and to permit CHPD to apply the Property or the proceeds thereof to a public interest use, all pursuant to the requirements of the Disposal Statutes and such additional noticing and other procedures as CHPD deems appropriate, in its discretion, to assure fairness and transparency;

NOW THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the Council acknowledges CHPD’s possession of the items of Property shown on the List; authorizes CHPD’s disposal of such Property; and permits CHPD to apply such Property or the proceeds thereof to a public interest use, all pursuant to the requirements of the Disposal Statutes and such additional noticing and other procedures as CHPD deems appropriate, in its discretion, to assure fairness and transparency.

This Resolution, assigned no. 2017-28, shall take effect immediately upon passage.

PASSED AND APPROVED effective 25 April 2017.

COTTONWOOD HEIGHTS CITY COUNCIL

By 
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:


Gina Kirkwood, Deputy Recorder



VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 25th day of April 2017.

RECORDED this 25th day of April 2017.