

**TITLE IX GENERAL REGULATIONS
CHAPTER 90: ABANDONED PROPERTY**

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CHAPTER 90 ABANDONED PROPERTY

**ARTICLE I
GENERAL PROVISIONS**

90.01 Definitions

For the purpose of this chapter the following definition shall apply unless the context clearly indicates or requires a different meaning.

Abandoned property. All personal property found on the streets of the city and in the possession of the police department, or any other personal property rightfully coming into the possession of the police department, which has not been claimed and retaken by any person claiming to be the owner, within a period of six months after the personal property comes into the possession of the police department.

(Code 1965, §16-3; Ord. No. 1838, 12-6-71; Code 1991, §90.01)

90.02 Removal Of Unattended Or Abandoned Vehicles

The removal and disposition of any unattended or abandoned vehicles within the City of Fayetteville shall be conducted in accordance with the provisions of A.C.A. §27-50-1202 et seq. as it may be, from time to time, amended.

90.03 Advertisement And Sale

Whenever, in the opinion of the mayor and the chief of police, it is desirable to make a disposition of the abandoned property in the possession of the police department, the mayor is hereby authorized to advertise the same for public sale at auction. The advertisement shall be published in a newspaper having a general circulation in the city for a period of three consecutive days, the last notice to be published not less than two days prior to the date of the sale. The sale shall be held in some suitable place open to the public. If, for any reason, in the opinion of the chief of police or mayor, it is desirable to postpone the sale, notice shall be given to those who have assembled for the sale, and it shall not be necessary to advertise the sale again. This sale shall be conducted by the police department, which is authorized to receive bids for individual items, groups of items or for the entire list of abandoned property being offered for sale. The official conducting the sale is further authorized to reject all bids if, in his opinion, it is desirable to do so.

(Code 1965, §16-4; Ord. No. 1838, 12-6-71; Code 1991, §90.03)

90.04 Records To Be Kept

A description of all articles offered for sale shall be kept in a book maintained by the police department, which book shall reflect when and where each article was offered for sale, and the price received therefor.

(Code 1965, §16-5; Ord. No. 1838, 12-6-71; Code 1991, §90.04)

90.05 Disposition Of Proceeds Of Sale

The proceeds received from any such sale of abandoned property shall be turned in to the Director of Finance and Internal Services to be paid into the general fund of the city. If, within 60 days of the actual date of sale, any person successfully establishes ownership of any of the articles sold as set out above, he shall be paid the amount realized from the sale of his abandoned chattel less the expenses of such sale including storing or handling and the cost of publication of notice of sale. Any sums remaining in the hands of the Director of Finance and Internal Services and not claimed within the 60 day period, shall be the sole property of the city and shall be used in the same manner as other general funds of the city.

(Code 1965, §16-6; Ord. No. 1838, 12-6-71; Code 1991, §90.05)

90.06 Reclamation Of Abandoned Property

No part of this chapter shall be construed as prohibiting anyone from reclaiming any item of abandoned personal property, upon proper proof of ownership, before sale has been consummated in accordance with this section. (Code 1965, §16-7; Ord. No. 1838, 12-6-71; Code 1991, §90.06)

90.07–90.99 Reserved

