

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 676

An ordinance providing for transfers of property acquired through civil forfeiture laws and establishing procedures therefor.

Multnomah County Ordains as Follows:

Section I. Definitions.

(A) "Government Agency" means any state agency, department, division, bureau, board, and commission; any county and city governing body, school district, special district, municipal corporation, and any board, department, commission, council or agency thereof; and any other public agency of this state.

(B) "Law Enforcement Agency" means any agency which employs police officers for the purpose of investigation and prosecution of criminal cases.

(C) "Law Enforcement Purpose" means any activity which may be reasonably expected to result in the identification, apprehension, or conviction of criminal offenders.

(D) "Police Officer" has the meaning given that term in ORS 133.525.

(E) "Forfeited property" means all personal property other than cash or cash proceeds, the right, title, and interest of which has been granted to Multnomah County by the Circuit Court of the State of Oregon pursuant to

(1) Or Laws 1989, ch 791, § § 1-10; or

(2) Multnomah County Ordinance No. 422
(MCC 7.85.001-7.85.050) in effect prior to May 10, 1989.

Section II. Types of Transfers Allowed.

(A) Forfeited property may be transferred to any law enforcement agency to be used for law enforcement purposes, or

(B) Forfeited property may be transferred to any government agency within the State of Oregon for a public purpose.

Section III. How Transfers Approved.

(A) All property transfers to law enforcement agencies shall be made at the discretion of the Sheriff of Multnomah County.

(B) All other property transfers shall be approved by the Resolution of Multnomah County Board of Commissioners upon recommendation of the sheriff.

Section IV. Transfer Documents.

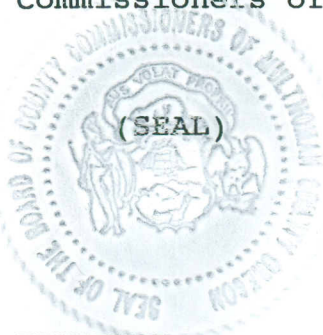
(A) Upon approval, the sheriff shall transfer the forfeited property by executing a transfer document describing the property transferred, stating the transfer is without warranties of title, condition or fitness for a particular purpose. In addition, the transfer document shall give notice the transferee is required to maintain written documentation of each sale, transfer or other disposition of the property as required by OR Law 1989, ch 791, § 10(2).

Section V. Codification.

(A) Sections I. through V. of this ordinance shall be codified as part of MCC Ch. 7.70.

ADOPTED this 11th day of April, 1991, being the date of its second reading before the Board of County

Commissioners of Multnomah County, Oregon.



Gladys McCoy
Gladys McCoy, Chair
Multnomah County, Oregon

REVIEWED:

Laurence Kressel
Laurence Kressel, County Counsel
of Multnomah County, Oregon

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