

ORDINANCE NO. 132AN ORDINANCE TO REPEAL AND RECREATE AN ORDINANCE  
DEALING WITH  
DISPOSAL OF ABANDONED, UNCLAIMED, AND VILLAGE OWNED PROPERTY  
IN THE VILLAGE OF OCONOMOWOC LAKE

The Village Board for the Village of Oconomowoc Lake DO ORDAIN AS  
FOLLOWS:

Section 1:

(1) The Village may dispose of any personal property which has been abandoned, found or confiscated and remaining unclaimed for a period of 30 days after taking possession of the property by Village officials, or Village owned property, whether real or personal, no longer needed by the Village, subject to the Resolution Setting Forth Procedures to be used by the Village Board of the Village of Oconomowoc Lake when Disposing of Village Owned Property, by any means determined to be in the best interests of the Village. These procedures presume that if the personal property to be disposed of appears to be or is reported stolen, an attempt will be made to return said personal property to the rightful owner. Prior to disposal of any property, the Village Administrator shall submit a list of the property to the Village Board. The Village Board shall thereafter determine whether or not to grant authorization to dispose of the same.

(2) Once authorization to dispose of property is received from the Village Board, the Village Administrator may proceed by any of the following means to dispose of the same:

(A) Public auction.

(B) Sealed bids.

(1) Said advertisement of sealed bids shall be in a manner prescribed by the Village Administrator.

(2) Acceptance of the bid by the Village shall be in writing by the Village Administrator.

(3) The Village reserves the right to reject any and all bids.

(C) Destruction.

(D) Return to rightful owner.

(E) Transfer to appropriate governmental entity.

(F) Disposal.

(1) Disposal of personal property shall be in a manner prescribed by the Village Administrator.

(3) If the property is not disposed of in a sale open to the public, the Village shall maintain an inventory of such property; a record of the date and method of disposal, including the consideration received for the property. Such inventory shall be kept as a public record for a period of not less than 2 years from the date of disposal of the property.

(4) If the property is in the form of a sale, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale shall be paid to the Village Treasury.

Section 2: SEVERABILITY.

The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

Section 3: EFFECTIVE DATE.

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This Ordinance passed this 17 day of January, 1994.

BY ORDER OF THE VILLAGE BOARD OF  
THE VILLAGE OF OCONOMOWOC LAKE,  
WAUKESHA COUNTY, WISCONSIN

  
WILLIAM F. ROBERTS  
VILLAGE PRESIDENT

ATTEST:

  
CHERYL WIERDSMA, VILLAGE CLERK

STATE OF WISCONSIN )  
COUNTY OF WAUKESHA )

AFFIDAVIT OF POSTING  
ORD 132

The undersigned, being first duly sworn, on oath deposes and states that on Jan 21, 1994 at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village.

to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the northern corner of the junction of West Beach Road and the private drive (South Beach Road) leading into the Borisch, Fischer, Lowry, et al properties.



Subscribed and sworn to before me

this 21<sup>st</sup> day of January, 1994

Cheryl A. Wierdoma

Notary Public, Waukesha County, Wisconsin

My commission expires: 11-19-95