

ORDINANCE NO. 02-2021

**AN ORDINANCE AUTHORIZING THE DONATION OF ABANDONED
RECREATIONAL VEHICLE AND WAIVING THIRD READING**

WHEREAS, the Village of Plain City Police Department lawfully impounded a Coleman Recreational motorcycle, Vehicle Identification Number LWGPCML50LA140910, arising out of a traffic stop; and,

WHEREAS, Ohio Revised Code Section 4513.61 authorizes the Chief of Police to come into possession of vehicles as a result of the performance of the Police Department's official duties and to impound the same; and,

WHEREAS, the Union County Court of Common Pleas has found that the Coleman Recreational motorcycle, Vehicle Identification Number LWGPCML50LA140910, has been abandoned in the impound lot of the Village of Plain City Police Department for approximately one-year and has ordered that the motorcycle be forfeited to the Village of Plain City Police Department (Exhibit A); and,

WHEREAS, Ohio Revised Code Section 4513.62 authorizes the Chief of Police to dispose of impounded vehicles, that remain unclaimed by the vehicle's owner, by auction or other statutorily permissible means; and,

WHEREAS, Ohio Revised Code Section 737.32 authorizes the legislative authority of a municipal corporation may authorize the Chief of Police to contribute property, if the property is not required to be disposed of pursuant to another section of the Revised Code, that is unclaimed for ninety days or more to one or more public agencies, to one or more nonprofit organizations or to one or more organizations that satisfy section 501(c)(3) or (c)(19) of the Internal Revenue Code of 1986; and,

WHEREAS, Ohio Revised Code Section 737.15 provides that property with an estimated value of less than one thousand dollars may be sold by the board or the officer having supervision or management of that property; and,

WHEREAS, the Chief of Police has supervision and management, pursuant to Ohio Revised Code Section 4513.61, of the Coleman Recreational motorcycle, Vehicle Identification Number LWGPCML50LA140910, and the Chief of Police has estimated that the value of the motorcycle is less than one thousand dollars; and,

WHEREAS, the Chief of Police has recommended contribution of the motorcycle to the Jonathan Alder Athletic Boosters, a nonprofit 501(c)(3) organization that provides services and equipment, not provided for in the school's athletic budget, to Jonathan Alder student-athletes; and,

WHEREAS, the Village Council has determined that the donation of the motorcycle to the Jonathan Alder Athletic Boosters is appropriate.

NOW THEREFORE BE IT ORDAINED by the Village Council of Plain City, Ohio, as follows

Section 1. The Village Council of Plain City hereby authorizes the Chief of Police, in accordance with Ohio Revised Code Section 737.32, to donate the Coleman Recreational motorcycle, Vehicle Identification Number LWGPCML50LA140910, to the Jonathan Alder Athletic Boosters.

Passed: January 25, 2021.

Attest: Renee Sonnett
Village Fiscal Officer

Jody Carney
Mayor

First reading: January 11, 2021.

Second reading: January 25, 2021.

Third reading: waived, 2021. Vote: 6 yea ___ nay ___ abstain

CERTIFICATE OF PUBLICATION

The undersigned, being Village Fiscal Officer of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 123.01 of the Codified Ordinances. The posting was done from January 28, 2021 to February 12, 2021 at the Office of the Fiscal Officer located at 800 Village Boulevard; the Plain City Public Library located at 305 W. Main Street; the Middlefield Bank located at 490 S. Jefferson Avenue; the Richwood Banking Co. located at 601 W. Main Street; all being in the Village of Plain City, Ohio, and the Village of Plain City Website at www.plain-city.com.

Date: January 27, 2021

Renee Sonnett
Renee Sonnett, Village Fiscal Officer