

TITLE 1
SPECIAL ORDINANCES

Chapters:

- 1.01 Disposition of Unclaimed Property
- 1.02 Purchase of Firearms By Town Marshal

CHAPTER 1.01
DISPOSITION OF UNCLAIMED PROPERTY

Sections:

- 1.01.010 Purpose
- 1.01.020 Definitions
- 1.01.030 Procedure for Disposition of Property

1.01.010 Purpose. The purpose of this Section is to provide for the administration and disposition of unclaimed property. (*Source: Ord. No. 135*)

1.01.020 Definitions. Unless otherwise required by context or use, words and terms shall be defined as follows:

(a) "Unclaimed property" means any tangible or intangible property, including any income or increment derived therefrom, less any lawful charges, that is held by or under the control of the Town of Collbran and which has not been claimed by its owner for a period of more than one year after it became payable or distributable.

(b) "Owner" means person or entity, including a corporation, partnership, association, governmental entity other than the Town of Collbran, or a duly authorized legal representative or successor in interest of same, which owns unclaimed property held by the Town of Collbran.

(c) "Town Clerk" shall mean the Town Clerk/Treasurer of the Town of Collbran or the designee thereof.

1.01.030 Procedure for Disposition of Property. (a) Prior to disposition of any unclaimed property having an estimated value of fifty dollars (\$50.00) or more, the Town Clerk shall send a written notice by certified mail, return receipt requested, to the last

known address, if any, of any owner of unclaimed property. The last known address of the owner shall be the last address of the owner as shown by the records of the Town of Collbran or agency holding the property. The notice shall include a description of the property, the amount of estimated value of the property, and, when available, the purpose for which the property was deposited or otherwise held.

The notice shall state where the owner may make inquiry of or claim the property. The notice shall also state that if the owner fails to provide the Town Clerk with a written claim for the return of the property within sixty (60) days of the date of the publication of the notice, the property shall become the sole property of the Town of Collbran and any claim of the owner to such property shall be deemed forfeited.

(b) Prior to disposition of any unclaimed property having an estimated value of less than fifty dollars (\$50.00) or having no last known address of the owner, the Town Clerk shall cause a notice to be published in a newspaper of general circulation in the Town of Collbran. The notice shall include a description of the property, the owner of the property, the amount or estimated value of the property and, when available, the purpose for which the property was deposited or otherwise held. The notice shall state where the owner may make inquiry of or claim the property. The notice shall also state that if the owner fails to provide the Town Clerk with a written claim for the return of the property within sixty (60) days of the date of the publication of the notice, the property shall become the sole property of the Town of Collbran and any claim of the owner to such property shall be deemed forfeited.

(c) If the Town Clerk receives no written claim within the above sixty (60) day claim period, the property shall become the sole property of the Town of Collbran and any claim of the owner to such property shall be deemed forfeited.

(d) If the Town Clerk receives a written claim within the sixty (60) day claim period, the Town Clerk shall evaluate the claim and give written notice to the claimant within ninety (90) days thereof that the claim has been accepted or denied in whole or in part. The Town Clerk may investigate the validity of a claim and may request further supporting documentation from the claimant prior to disbursing or refusing to disburse the property.

(e) In the event that there is more than one claimant for the same property, the Town Clerk may, in the Town Clerk's sole discretion, resolve said claims, or may resolve such claims by depositing the disputed property with the registry of the District Court in an interpleader action.

(f) In the event that all claims filed are denied, the property shall become the sole property of the Town of Collbran and any claim of the owner of such property shall be deemed forfeited.

(g) Any legal action filed challenging a decision of the Town Clerk shall be filed pursuant to Rule 106 of the Colorado Rules of Civil Procedure within thirty (30) days of such decision or shall be forever barred. If any legal action is timely filed, the property shall be disbursed by the Town Clerk pursuant to the order of the Court having jurisdiction over such claim.

(h) The Town Clerk is authorized to establish and administer procedures for the administration and disposition of unclaimed property consistent with this Section, including compliance requirements for other municipal officers and employees in the identification and disposition of such property.

CHAPTER 1.02
PURCHASE OF FIREARMS BY TOWN MARSHAL

Sections:

- 1.02.010 Firearms - Restricted Use
- 1.02.020 Purchases - Approval Required
- 1.02.030 Purchases - Compliance With Federal Law

1.02.010 Firearms - Restricted Use. Any purchase of firearm(s) by the Collbran Town Marshal, in any way using the name of the Town or that of the office of Town Marshal, shall be exclusively for the use of an officer or officers then serving in an official capacity as Marshal or Reserve Marshal and only when such person(s) serve(s) under appointment by the Board of Trustees. (*Source: Ord. No. 118*)

1.02.020 Purchases - Approval Required. All purchases of firearms to be used for law enforcement purposes within the Collbran Marshal's Department shall be initiated with formal approval of the Collbran Town Board, given in regular meeting with the motion duly made and adopted by majority of the Town Board members attending.

1.02.030 Purchases - Compliance With Federal Law. In addition to provisions contained in Sections 1.02.010 and 1.02.020, all orders for officers firearms or ammunition and shipping of same shall be in compliance with then current provisions of the laws of the United States relating to these matters. Likewise, the purchase procedures and forms of suppliers shall be fully complied with, their forms accurately completed as required, and their interests protected.