

CHAPTER 28

MISCELLANEOUS

Article

- 28-01 Disposition of Stolen or Lost Property Unclaimed, § 28-0101.
- 2802 Use of the Power of Eminent Domain, §28-0201.

ARTICLE 28-01

DISPOSITION OF STOLEN OR LOST PROPERTY UNCLAIMED

Section

- 28-0101 Sale of stolen or lost property unclaimed--Disposition of proceeds from.

28-0101. Sale of stolen or lost property unclaimed--Disposition of proceeds from.--Where stolen property or lost property of any kind shall come into the hands of the police department of the city of Fargo and for a period of 10 days shall not be identified, claimed, or if claimed, not proved to belong to said claimant, and the true owner is unknown, the said property, after being held for a period of 60 days, may be sold by order of the chief of the police, after 10 days' notice by a publication in a daily newspaper of general circulation published in the city, and the proceeds shall be placed in the city treasury to the credit of the contingent fund, and subject to use for police purposes. All expenses of keeping, storing, handling, and such as may be necessarily incident to the proper care of any personal property shall be first paid and receipt taken therefor, and the balance only paid to the city treasurer on due receipt therefor; provided, that no such personal property shall ever be sold so long as such property is required to be used as evidence in any criminal or civil case, except when done by order of the court.

1952 Rev. Ord. 28-0101.

ARTICLE 28-02

USE OF THE POWER OF EMINENT DOMAIN

Section

- 28-0201 Limitation of use of eminent domain by city

28-0201. Limitation on Use of Eminent Domain by City. The city shall limit its use of its power of eminent domain, as authorized by local, state or federal law, only to further a public use or public purpose. For purposes of this section, a public use or public purpose does not include public benefits of economic development, including an increase in tax base, tax revenues, employment, or general economic health. Private property shall not be taken by for the use of, or ownership by, any private individual or entity, unless that property is necessary for conducting a common carrier or

utility business. Notwithstanding the foregoing, private property taken by the city for a public purpose may be sold or returned to private ownership after the public use or public purpose for the property is satisfied or completed.

Source: 4532 (2006).