

**CITY OF WEST ALLIS  
ORDINANCE O-2025-0065**

**ORDINANCE CREATING ALTERNATE MEANS OF DISPOSAL FOR  
ABANDONED PROPERTY**

**AMENDING SECTION 4.23**

**WHEREAS**, Wis. Stat. 66.0139(2) says a "political subdivision may dispose of any personal property which has been abandoned, or remained unclaimed for a period of 30 days, after the taking of possession of the property by an officer of the political subdivision by any means determined to be in the best interest of the political subdivision"; and

**WHEREAS**, the chief of police often comes into possession of abandoned property for which there is no owner and it is the common council's intent to authorize the chief to determine what is in the best interests of the City when it comes to disposing of abandoned property; and

**WHEREAS**, Wis. Stat. 66.0139 requires the City to keep records of alternate disposition for abandoned property for 2 years to ensure a process for potential owners to come forward;

**NOW THEREFORE**, the common council of the City of West Allis do ordain as follows:

**SECTION 1:**        **AMENDMENT** "4.23 Disposition Of Abandoned And Unclaimed Property By The Police Department" of the City Of West Allis Municipal Code is hereby *amended* as follows:

**AMENDMENT**

**4.23 Disposition Of Abandoned And Unclaimed Property By The Police Department**

The chief of police may dispose of any personal property which has been abandoned, or remained unclaimed for a period of 30 days after the taking of possession of the property by an officer of the City pursuant to Wis. Stat. 66.0139 and in the following manner:

1. Generally. Except as described below, the chief of police may retain that abandoned property for official use or sell that abandoned property by public auction, by competitive biddings, by consignment, or through acceptance of an offer to purchase and retain the proceeds for official use. The chief of police shall utilize the disposition that the chief deems to be in the best interest of the City. If the property has a market or commercial value of less than \$200, the chief of police may destroy the property in

lieu of selling it.

2. Volatile Items. The chief of police may safely dispose of flammable, explosive, or incendiary substances, materials, or devices that pose a danger to life or property in their storage, transportation, or use immediately after taking possession in the manner deemed appropriate by the chief of police, except if any of the following applies:
  - a. the substance, material, or device is one that has a commercial value in normal business usage and does not pose an immediate threat to life or property, the chief of police may attempt to return it to the rightful owner.
  - b. If the substance, material, or device appears to be or is reported stolen, the chief of police shall attempt to return it to the rightful owner.
  - c. If the substance, material, or device is a firework, Wis. Stat. 167.10(8)(b) shall apply.

**SECTION 2:**        **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COMMON COUNCIL

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Ald. Ray Turner	_____	_____	_____	_____
Ald. Kimberlee Grob	_____	_____	_____	_____
Ald. Chad Halvorsen	_____	_____	_____	_____
Ald. Marissa Nowling	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Patty Novak	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____

Attest

Presiding Officer

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Tracey Uttke, City Clerk, City Of  
West Allis

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Dan Devine, Mayor, City Of West  
Allis