ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 42, ARTICLE III, DIVISION 2 RELATING TO THE DISPOSITION OF PROPERTY TO REFERENCE STATE LAW

WHEREAS, state law addresses the procedure for the disposition of personal property in the possession of the police department, and the City Council has determined that it is more efficient for the City Code to reference state law;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF CANTON as follows:

1. Section 42-80 is deleted in its entirety and the and the following substituted therefor:

Sec. 42-80. Dispositions of Personal Property.

Disposition of all personal property seized or abandoned in the custody of the police department shall be made in accordance with Title 17, Chapter 5, Article 3 of the Official Code of Georgia Annotated.

2. Sections 42-81, 42-82 and 42-83 are deleted.

3. If any portion of this Ordinance be declared invalid or unconstitutional by any court or competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid. It is hereby declared to be the intent of the City Council to provide for separable and divisible parts and does hereby adopt any and all parts hereof as may not be held invalid for any reason.

4. This Ordinance shall become effective on the date the Mayor signs the ordinance indicating approval, ten days after the adoption of the ordinance if the Mayor has not signed nor vetoed, or immediately upon an affirmative vote of the City Council after the Mayor's veto, whichever shall first occur.

Attest: _____

                                                               Gene Hobgood, MAYOR
_____   Date:

Susan C. Stanton
CITY CLERK

Approved as to form:

_____

Robert M. Dyer, City Attorney

ORDINANCE NO. _____

First Reading   _____

Adopted by Council   _____

Approved by Mayor   _____

Veto by Mayor   _____

Second Vote by Council   _____

Effective Date   _____   Susan C. Stanton, City Clerk