

## **Administrative Procedure for the Removal of Personal Property**

### **(Wildomar Municipal Code section 9.52.220)**

#### **I. Pre-Removal Notice**

Pre-removal notice shall be deemed provided if a written notice is provided to the person who is storing or claims ownership of the personal property or is posted conspicuously on or near the personal property and the actual removal commences with no more than 72 hours after the pre-removal notice is posted. The written notice shall contain the following:

- A. A general description of the personal property to be removed
- B. The location from which the personal property will be removed
- C. The date and time notice was posted
- D. A statement that the personal property has been stored in violation of the Wildomar Municipal Code.
- E. A statement that moving personal property to another location in a public area shall not be considered removal of personal property from a public area.
- F. The address where the removed personal property will be located, including a telephone number and internet website of the city through which a person may receive information as to impounded personal property.
- G. A statement that the impounded personal property may be discarded if not claimed within 90 days after impoundment.

#### **II. Post-Removal Notice**

Upon removal of stored personal property, written notice shall be conspicuously posted in the area from which the personal property was removed. The written notice shall contain the following:

- A. A general description of the personal property removed
- B. The state and approximate time the personal property was removed
- C. A statement that the personal property was stored in a public area in violation of Wildomar municipal code

- D. The address where the removed personal property will be located, including a telephone number and internet website of the city through which a person may receive information
- E. A statement that impounded personal property may be discarded if not claimed within 90 days after impoundment.

### **III. Possession Without Pre-Removal Notice**

Without prior notice, the City may remove and impound any personal property that:

- A. Attended or unattended, is stored within ten feet of any operational or utilizable entrance, exit or driveway of any public property. Post removal notice shall be provided as set forth above.
- B. Attended or unattended, is stored in a public area that has a clearly posted closure time, provided that the personal property is removed and impounded after the posted closure time. Post removal notice shall be provided as set forth above.
- C. Attended or unattended, constitutes an evidence of a crime or contraband.

### **IV. Storage and Disposal**

The City shall move personal property to a place of storage. The city shall store impounded personal property for 90 days, after which time, if not claimed, it may be discarded. The City shall not be required to undertake any search for, or return, any impounded personal property as discarded. The City shall maintain a record of the date any impounded property was discarded.

### **V. Repossession**

The owner of the impounded personal property may repossess the personal property prior to its disposal upon submitting satisfactory proof of ownership. A person may establish proof of ownership by, among other things, describing the location form and the date when the personal property was impounded from a public area, and providing a reasonably specific and detailed description of the personal property. Valid government issued ID is not required to claim impounded personal property.