

PITTSYLVANIA COUNTY CODE

CHAPTER 12; OFFENSES

SEC. 12-15. REIMBURSEMENT OF EXPENSES INCURRED IN RESPONDING TO TERRORISM HOAX INCIDENT, BOMB THREAT, OR MALICIOUS ACTIVATION OF FIRE ALARM.

Any person who is convicted of a violation of subsection B or C of § 18.2-46.6, Code of Virginia, 1950, as amended, a felony violation of §§ 18.2-83 or 18.2-84, Code of Virginia, 1950, as amended, or a violation of § 18.2-212, Code of Virginia, 1950, as amended, when his violation of such Section is the proximate cause of any incident resulting in an appropriate emergency response, shall be liable at the time of sentencing or in a separate civil action to the County or to any volunteer emergency medical services agency, or both, which may provide such emergency response for the reasonable expense thereof, in an amount not to exceed \$2,500 in the aggregate for a particular incident occurring in the County. In determining the "reasonable expense," the County may bill a flat fee of \$250 or a minute-by-minute accounting of the actual costs incurred. As used in this section, "appropriate emergency response" includes all costs of providing law-enforcement, firefighting, and emergency medical services. The provisions of this Section shall not preempt or limit any remedy available to the Commonwealth, to the County, or to any volunteer emergency medical services agency to recover the reasonable expenses of an emergency response to an incident not involving a terroristic hoax or an act undertaken in violation of §§ 18.2-83, 18.2-84, or 18.2-212, Code of Virginia, 1950, as amended, as set forth herein.

SEC. 12-16. METHAMPHETAMINE LAB CLEANUP COSTS.

Any person who is convicted of an offense for manufacture of methamphetamine pursuant to §§ 18.2-248 or 18.2-248.03, Code of Virginia, 1950, as amended, shall be liable at the time of sentencing or in a separate civil action to the County or to any other law-enforcement entity for the expense in cleaning up any methamphetamine lab related to the conviction. The amount charged shall not exceed the actual expenses associated with cleanup, removal, or repair of the affected property or the replacement cost of personal protective equipment used.

SEC. 12-17. PREVENTING INTERFERENCE WITH PUPILS AT SCHOOLS OR OPERATION OF SCHOOL BUS.

Any person who improperly interferes with or annoys pupils attending any school in the County, or interferes with the operation of any school bus situated in the County shall be guilty of a Class 1 Misdemeanor.

SEC. 12-18. DESIGNATION OF SHERIFF TO ENFORCE TRESPASS VIOLATIONS.

The owner, lessee, custodian, or person lawfully in charge as those terms are used in § 18.2-119, Code of Virginia, 1950, as amended, of real property may designate the Sheriff, or other local law-enforcement agency, as a "person lawfully in charge of the property" for the purpose of forbidding

another to go or remain upon the lands, buildings or premises as specified in the designation. Said designation shall be in writing and on file with the Sheriff or other local law-enforcement agency.

SEC. 12-19. DISPOSAL OF UNCLAIMED PROPERTY IN POSSESSION OF SHERIFF.

This Section details the public sale or the retention for use by the law-enforcement agency, of any unclaimed personal property which has been in the possession of its law-enforcement agencies and unclaimed for a period of more than sixty (60) days, after payment of a reasonable storage fee to the Sheriff or other agency storing such property. No storage fee shall be charged or accounted for if such property has been stored by and is to be retained by the Sheriff's office or other law-enforcement agency. As used herein, "unclaimed personal property" shall be any personal property belonging to another which has been acquired by a law-enforcement officer pursuant to his duties, which is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act (§ 55-210.1 et seq., Code of Virginia, 1950, as amended). Unclaimed bicycles and mopeds may also be disposed of in accordance with § 15.2-1720, Code of Virginia, 1950, as amended. Unclaimed firearms may also be disposed of in accordance with § 15.2-1721, Code of Virginia, 1950, as amended.

Prior to the sale or retention for use by the law-enforcement agency of any unclaimed item, the Sheriff, or his duly authorized agent(s), shall make reasonable attempts to notify the rightful owner of the property, obtain from the Commonwealth's Attorney, in writing, a statement advising that the item is not needed in any criminal prosecution, and cause to be published in a newspaper of general circulation in the County once a week for two (2) successive weeks, Notice that there will be a public display and sale of unclaimed personal property. Such property, including property selected for retention by the law-enforcement agency, shall be described generally in the Notice, together with the date, time, and place of the sale and shall be made available for public viewing at the sale. The Sheriff, or his duly authorized agent(s), shall pay from the proceeds of sale the costs of advertisement, removal, storage, investigation as to ownership and liens, and Notice of Sale. The balance of the funds shall be held by the Sheriff for the owner and paid to the owner upon satisfactory proof of ownership. Any unclaimed item retained for use by the law-enforcement agency shall become the property of the County served by the agency and shall be retained only if, in the opinion of the Sheriff, there is a legitimate use for the property by the agency and that retention of the item is a more economical alternative than purchase of a similar or equivalent item.

If no claim has been made by the owner for the property or proceeds of such sale within sixty (60) days of the sale, the remaining funds shall be deposited in the County's General Fund and the retained property may be placed into use by the law-enforcement agency. Any such owner shall be entitled to apply to the County within three (3) years from the date of the sale and, if timely application is made therefor and satisfactory proof of ownership of the funds or property is made, the County shall pay the remaining proceeds of the sale or return the property to the owner without interest or other charges or compensation. No claim shall be made nor any suit, action, or proceeding be instituted for the recovery of such funds or property after three (3) years from the date of the sale.