



MARCH 14, 2023

NOTICE OF ABANDONED PROPERTY & INTENT TO SEIZE

Pursuant to STC 18-06.050, STC 18-09.040-050, and STC 10-07.060, notice is hereby provided that landed vessels, trailers, fishing gear, other personal property, and refuse located on or near the Commercial Float Dock, the Fisheries Building and Fish Plant, or around the Village Chevron Gas Station is deemed to be abandoned property effective immediately. **If your property is not removed by March 29, 2023, the property will be seized and sold or destroyed.** In addition, fish tax refund checks will not be distributed until these areas are cleaned up.

Further information is specified in the code:

STC 10-07.040(D) – Definitions. (D) “Abandoned property” means personal property – to include vehicles and vessels – or unattended gear as defined in STC 18-03.320 that is not owned by the Tribe but is left on Tribal properties without the permission of the Tribe for greater than 72 hours or on Tribal Tidelands or the beach fronting on the Swinomish Channel in excess of the time limits specified in STC 18-03.320.

10-07.070 Right to a Hearing.

(A) The owner of a junk vehicle, or abandoned property located on Tribal properties, shall have a right to a hearing in the Swinomish Tribal Court. (B) The owner of the junk vehicle or abandoned property shall request a hearing contesting the seizure and sale or destruction of the property in the Swinomish Tribal Court within 15 days of mailing, personal service, or posting of notice on the property itself.

10-07.080 Sale or Disposal.

(B) Unknown Owner. If the junk vehicle or abandoned property located on Tribal properties remains unclaimed and no demand for a hearing has been filed within the required timeframe described above, the landowner or Tribal Representative in the case of abandoned property located on Tribal properties may sign an affidavit of sale to be used as a title document. If no information on a junk vehicle's registered and legal owner is found in the records of the department, the landowner or Tribe may immediately dispose of the vehicle or sign an affidavit of sale to be used as a title document, without adhering to the notice requirements.

10-07.090 Storage and Removal Costs.

The landowner of the property upon which the junk vehicle is located or the Tribe in the case of abandoned property located on Tribal properties is entitled to recover from the owner of the junk vehicle or abandoned property any costs incurred in the storage and removal of the junk vehicle or abandoned property.

ABANDONED PROPERTY NOTICE