

INTRODUCED BY:  
Councilor Tucker



ORDINANCE NO. 2010-08

**A BILL TO BE ENTITLED**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI. FINANCE, SECTION 2-362, SERVICE FEE FOR DISHONORED CHECK, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Neptune Beach has determined that it is necessary to amend the following.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NEPTUNE BEACH, FLORIDA**, that:

**Section 1.** Section 2-362, Service Fee for Dishonored Check shall be amended as follows:

Sec. 2-362. Service fee for dishonored check.

- (a) Any check, draft or other order for the payment of money in payment of any licenses, fees, taxes, commissions or charges of any sort authorized to be made under the laws of the state and this Code and deposited in the city treasury as provided by law, which may be returned unpaid for any reason by the bank or other payor upon which same shall have been drawn, shall be forthwith returned for collection to the city. In such case, the city is authorized to issue a debit memorandum charging the proper fund or account to which same shall have been originally credited, stating the reasons therefor. Such procedure for handling noncollectible items shall not be construed as paying funds out of the treasury without an appropriation, but shall be considered as an administrative procedure for the efficient handling of municipal records and accounts.
- (b) Whenever a check, draft or other order for the payment of money is returned unpaid for any reason by the bank or other payor to the city, the city shall add to the amount due a service fee of ~~twenty~~ thirty dollars (\$~~20~~30.00) or five (5) percent of the face amount of the check, draft or order, whichever is greater. The service fee for the collection of a dishonored check, draft or other order for the payment of money to the city shall be in addition to all other penalties imposed by law. Proceeds from this fee shall become a part of the general fund.

(Code 1959, § 1-14; Ord. No. 1994-7, 5-2-94)

**State law references:** Authority for this section, F.S. § 166.251.

**Section 2.** The Ordinance shall become effective immediately upon its passage by the City Council.

**VOTE RESULTS OF FIRST READING:**

Mayor Harriet Pruette	Yes
Vice Mayor Fred E. Lee	Yes
Councilor Eric Pardee	Yes
Councilor Kara Tucker	Yes
Councilor John Weldon	Yes

Passed on First Reading this 5<sup>th</sup> day of April, 2010.

**VOTE RESULTS OF SECOND AND FINAL READING:**

Mayor Harriet Pruette
Vice Mayor Fred E. Lee
Councilor Eric Pardee
Councilor Kara Tucker
Councilor John Weldon

Passed on Second and Final Reading this

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Harriet Pruette  
Mayor

ATTEST:

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Lisa Volpe, CMC  
City Clerk

Approved as to form and correctness:

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Christopher A. White  
City Attorney