

“A Historic Past”



“A Bright Future”

CITY OF DELAWARE CITY
407 Clinton Street – P.O. Box 4159
Delaware City, Delaware 19706
302-834-4573
ORDINANCE NO. 12-0917-01

**AN ORDINANCE TO AMEND
CHAPTER 6 ARTICLE IV OF THE
CODE OF THE CITY OF DELAWARE
CITY TO CREATE A RETURN CHECK
POLICY**

WHEREAS, the Mayor and Council of the City of Delaware City deem it in the best interest of the City of Delaware City and its residents to regulate payments with checks that have non sufficient funds and create a return check policy;

NOW, THEREFORE, the Mayor and Council of the City of Delaware City do hereby ordain as follows:

SECTION 1. Amend Chapter 6, Article VI of the City of Delaware City by adding a new Section 6-29 to read as follows:

“Section 6-29 Return Check Policy

Payments made by personal check to the City of Delaware City that are not honored by the bank will incur a return check fee of Thirty Dollars (\$30.00). The payment will be reversed from the appropriate account when a check is returned by the bank which could result in additional fees being added to the account.

a.) A collection letter will be sent to the account holder notifying them of the returned item and outlining the consequences of not honoring the item within ten (10) business days.

b.) Returned check reimbursement payments must be in the form of cash, cashier's check, certified funds or money order, no personal checks will be accepted.

c.) The City of Delaware City will no longer accept a personal check as payment from a customer with two (2) returned items on their account. After receiving two (2) returned items, all payments made to the City of Delaware City must be in the form of cash, cashier's check, certified funds or money order.”

SECTION 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Mayor and Council hereby declare that they would have passed this Ordinance and each section, subsection, sentence, clause or phrase irrespective of the fact that any one or more thereof is declared unconstitutional or invalid.

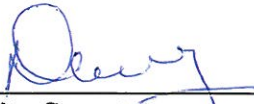
SECTION 3. Repealer. Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided that any such repeal shall not abate a right of action already accrued under any repealed Ordinance.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon passage.

(Signature Page Follows)

ADOPTED BY THE MAYOR AND COUNCIL, this 15th day of October,
2012.

ATTEST:



City Secretary

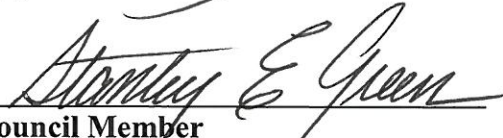


Mayor


APPROVED AS TO FORM:



City Solicitor




Council Member




Council Member



Council Member



Council Member



Council Member

First Reading: 9/27/12
Second Reading and Passage: 10/15/12