

Ord.#31-2012 An Ordinance of the Township Council of the Township of Mount Olive, County of Morris, State of New Jersey, Amending Township Code Chapter 7 and Chapter 196 Section 43 to Provide for a Service Charge of Thirty Dollars (\$30.00) When a Check or Automated Clearing House Online Payment Submitted to the Township is Returned.

CLERK:

Delivered to Mayor:

Date: 10/3/2012

Time: 12:00 p.m.

Signed: *Lisa M. Lashway*
Township Clerk
Lisa Lashway

MAYOR:

Action by Mayor:

Approved: ✓

Date: 10-3-12

Vetoed:

Date:

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: *[Signature]*
Mayor

CLERK:

Returned:

Date: 10/4/12

Time: 8:30 am

Not returned with in (10) days

Date:

Signed: *Lisa M. Lashway*
Township Clerk

Ord.#31-2012

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOUNT OLIVE, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING TOWNSHIP CODE CHAPTER 7 AND CHAPTER 196 SECTION 43 TO PROVIDE FOR A SERVICE CHARGE OF THIRTY DOLLARS (\$30.00) WHEN A CHECK OR AUTOMATED CLEARING HOUSE ONLINE PAYMENT SUBMITTED TO THE TOWNSHIP IS RETURNED.

WHEREAS, the Township does receive checks and automated clearing house online (“ACH”) payments from time to time, in payment of taxes, assessments, or some other municipal service which are returned, for reasons including, but not limited to, insufficient funds, closed accounts and inability to locate an account;

WHEREAS, the Township does resolve to impose a service fee of thirty dollars (\$30.00) when checks or ACH payments are returned;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Olive, County of Morris, State of New Jersey, as follows:

1. **SECTION 1.** Chapter 7 is amended as follows:
 - a. Chapter 7. Checks or Automated Clearing House (ACH) Online Payments, Returned
 - b. § 7-1. **Service fee.** There is hereby imposed a service fee of [~~\$20.00~~] \$30.00 upon the account for any check or ACH payment which is submitted in payment to the township, which is returned to the township for non-payment [for the reason of insufficient funds].
 - c. § 7-2. **Inclusion on list of delinquent accounts.** Whenever an account owing to a municipality is for a tax or special assessment, the service charge authorized by

this chapter shall be included on whichever list of delinquent accounts is prepared for the enforcement of the lien.

d. **§ 7-3. Collection.** Any service charge authorized by this chapter shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered.

e. **§ 7-4. Future alternative payment method.** After the adoption of this chapter, for any account for which the township receives a returned check[s] or payment [which are returned for insufficient funds], a letter shall be sent to the account holder advising that payment must be resubmitted within ten days along with the returned check or ACH payment. If payment is not received within ten days, the account shall be sent to the Police Department for handling. If payment is received, but the check or ACH payment is returned again, [on more than two occasions shall be required, in the future,] then the township will require payment to be made [to be paid] by cash or certified check.

2. **SECTION 2.** Township Code, Section 196-43(N) is amended as follows:

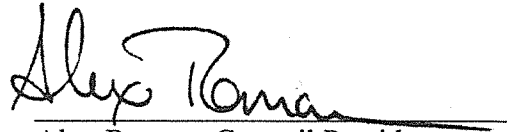
a. N. A fee of \$30 shall be charged for checks or automated clearing house online payments returned for [insufficient funds] any reason.

3. **SECTION 3.** If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

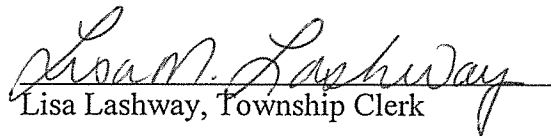
4. **SECTION 4.** This Ordinance may be renumbered for purposes of codification.

5. **SECTION 5.** This Ordinance shall take effect in accordance with law.

TOWNSHIP OF MOUNT OLIVE


Alex Roman, Council President

ATTEST: 10/2/12


Lisa Lashway, Township Clerk