

ORDINANCE NO. 598

AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF FEES FOR BANK DRAFTS PRESENTED TO ANY OFFICE OF CITY GOVERNMENT WHICH IS RETURNED BY THE ISSUING BANK FOR INSUFFICIENT FUNDS:

Whereas, the several departments of the City of Polson, as a usual and regular business practice, collect fees from members of the public in the course of conducting public business, some of which are paid by bank draft, that is, checks; and,

Whereas, the City at present has no mechanism to provide for the collection of additional fees and costs incurred by City government in such instances where checks issued to the City are returned from the issuing bank for an insufficiency of funds on deposit; and,

Whereas, the City desires to empower the City departments, and all of them, to charge a fee to such issuers of insufficiently-funded bank drafts with the intention of placing the increased costs associated with collecting such bad checks on the person issuing them.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA

1. It is the policy of the City of Polson that persons who issue to any City department a worthless check shall be charged, in addition to the face value thereof, an additional amount to offset the costs of presentation and collection of such worthless checks.
2. A "worthless check" shall be any bank draft issued to the City of Polson which has been twice presented to the issuing bank and twice rejected thereby for the reason that such account is closed, or contains funds insufficient to negotiate such check.
3. In the event any such worthless check is returned to the City unpaid, then and in that event the City may charge the issuer an additional fee of twenty-five dollars (\$25.00) to offset the costs of collection, above and beyond the cost of the fee or service for which the service was originally issued. In addition, no further public effort shall be expended on the matter for which the worthless check was issued until such time as the same is made good by the issuer, together with and including the fee set forth herein.

REPEALING CLAUSE: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: October 25, 2004
SECOND READING: November 1, 2004

NOW THEREFORE, it is resolved that the subject Ordinance shall become effective on December 1, 2004.

PASSED AND ADOPTED THIS November 1, 2004

CITY OF POLSON



Randy Ingram

ATTEST:


Aggi Loeser, City Clerk