

ORDINANCE NO. 3915

AN ORDINANCE ESTABLISHING A UNIFORM CHARGE FOR DISHONORED OR RETURNED PAYMENTS TO THE CITY UTILITIES

WHEREAS, the City of New Castle operates water, sewer; and stormwater utilities, and assesses charges to users of the utilities; and

WHEREAS, the City's utility office now accepts a variety of payment methods, including personal check, credit card, ACH transfers, and EFT transfers; and,

WHEREAS, the City Code expressly provides for an additional charge to be assessed to users who attempt to pay for utility service and the check is subsequently dishonored; and

WHEREAS, the City's utility office is assessed fees if an ACH transfer or EFT transfer is not honored or is reversed; and

WHEREAS, the City Code should be amended to include a uniform fee that is assessed to users if a payment is dishonored or reversed.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE, INDIANA:

1. That a new Section 52.02 is hereby added to the City Code and shall read as follows:

A charge in the sum of Thirty-Five Dollars (\$35.00) shall be assessed against the account of any user of the City's water, sewer, or stormwater utility, who submits a payment by check, ACH, EFT, debit, credit or other method of payment and the payment, after its receipt or credit, is subsequently dishonored due to insufficient funds or is reversed due to insufficient funds.

2. Sections 50.112 (A) (6) and 51.25 (J) of the City Code are hereby repealed.

3. All other provisions of the City Code, which are not expressly modified by this Ordinance, shall continue in effect.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS
____ DAY OF _____, 2023.

Greg York, Presiding
Officer, Common Council, City
of New Castle, Indiana

AYE

NAY

ATTEST:

Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2023.

Greg York, Mayor of the City
Of New Castle, Indiana