

AN ORDINANCE TO AMEND SECTION 2-8, PROCEDURES FOR PROCESSING CHECKS RETURNED TO CITY FOR INSUFFICIENT FUNDS, OF ARTICLE I, IN GENERAL, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE CITY OF MANASSAS PARK, VIRGINIA, TO CONFORM TO SECTION 15.2-106 OF THE CODE OF VIRGINIA

WHEREAS, Section 15.2-106 of the Code of Virginia authorizes the City of Manassas Park to charge for the uttering, publishing or passing of any check, draft or order for payment of taxes or any other sums due, which is subsequently returned for insufficient funds or because there is no account or the account has been closed, or because such check, draft or order was returned because of a stop-payment order placed in bad faith on the check, draft, or order by the drawer; and

WHEREAS, the Governing Body of the City of Manassas Park desires to amend Section 2-8 to conform with Section 15.2-106 of the Code of Virginia.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the City of Manassas Park that:

1. Section 2-8, Procedures for processing checks returned to city for insufficient funds, of Article I, In General, of Chapter 2, Administration, of the Code of the City of Manassas Park, Virginia, is hereby amended to read as follows:

“Sec. 2-8. Procedures for processing checks returned to city for insufficient funds.

The following procedures are hereby established for processing checks returned to the city for insufficient funds:

(1) A fee of ~~twenty five~~fifty dollars (\$~~25~~50.00) shall be charged to the person or firm ~~having that utters, publishes or passes any check, draft or order for payment of taxes or any other sums due, which is subsequently~~ returned to the city treasurer for insufficient funds ~~or because there is no account or the account has been closed, or because such check, draft or order was returned because of a stop-payment order placed in bad faith on the check, draft or order by the drawer.~~

(2) The service for which the check was rendered shall be discontinued immediately or appropriate action taken. The fee for insufficient funds and the amount of the check, ~~draft or order~~ shall be presented to the city treasurer ~~either~~ in the form of cash, money order or certified check.”

2. All sections of the Code of the City of Manassas Park, Virginia that are inconsistent with and/or in conflict with this Ordinance are hereby repealed.

3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

4. This Ordinance shall become effective on July 1, 2011.