

ORDINANCE NO. 1230
AN ORDINANCE OF THE CITY OF OKANOGAN, WASHINGTON AMENDING
SECTION 2.56 OF THE OKANOGAN MUNICIPAL CODE

WHEREAS, occasionally the city receives a check or electronic fund transfer for payment of a utility bill, permit fee, or facility use that is returned by the bank for nonpayment; and

WHEREAS, the current practice of the city is to require payment by cash or cash equivalent from payers who have had two checks or electronic fund transfer returned for nonpayment in any six month period; and

WHEREAS, the prohibition for acceptance of checks or electronic fund transfer from persons who have had two payments returned within a six month period has no time limit making those persons ineligible to ever pay the city with a check or electronic fund transfer; and

WHEREAS, it is not reasonable to institute a perpetual prohibition against the acceptance of checks or electronic funds transfer from an individual or company based on presentation of two dishonored payments within a six month period.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OKANOGAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Amendment.

Section 2.56.010 of the Okanogan Municipal Code which reads:

“2.56.010 Assessed”. There shall be assessed and collected from any issuer of a bank check which is returned to the city for nonpayment because of nonsufficient funds, closed account, or other form of dishonor a fee of \$25.00 for each bank check so returned. This shall be in addition to other amounts due and owing to the city. (Ord. 840 § 1, 1996)

Is hereby amended to read as follows:

“2.56.010 Assessed”. There shall be assessed and collected from any issuer of a check or electronic funds transfer which is returned to the city for nonpayment because of nonsufficient funds, closed account or other form of dishonor a fee to be established in the city’s annual fee schedule for each payment so returned. This shall be in addition to other amounts due and owing to the city.

Section 2.56.020 of the Okanogan Municipal Code which reads:

“2.56.020 Repeated occurrences”. Any person who has issued to the city more than one check returned for nonpayment in any six-month period will be required by the city clerk-treasurer to make future payments in cash or by certified check, cashier’s check, or money order. (Ord. 840 § 2, 1996)

Is hereby amended to read as follows:

“2.56.020 Repeated occurrences”. Any person who has issued to the city more than one check or electronic funds transfer returned for nonpayment in any six-month period will be required by the city clerk-treasurer to make future payments in cash or by certified check, cashier’s check, or money order for a period of two years from the date that the second dishonored payment is presented.

Section 2 ; Effective Date. This ordinance shall become effective from and after its passage by the Okanogan City Council as set forth above, approval by the Mayor and five (5) days after publication as required by law.

PASSED BY THE OKANOGAN CITY COUNCIL OF OKANOGAN, AT A REGULAR MEETING THEREOF THIS _____ DAY OF _____, 2024.

APPROVED:

Wayne L. Turner, Mayor

ATTEST:

Jessica Blake, Clerk-Treasurer

Approved as to Form:

W. Scott DeTro, City Attorney