

## **CHAPTER 32**

### **NON-SUFFICIENT FUND CHECKS**

**Section 32.1 Findings.** The Township of Courtland receives a great number of business and personal checks every year for payment of property taxes, zoning and other permit fees, utility bills, building rental, sale of ordinance books, Freedom of Information Act Requests, and for other purposes. Out of these transactions, the Township routinely has “NSF checks” returned as dishonored for non-sufficient funds or other reasons.

The Township is charged a fee by its bank for NSF checks. In addition, the Township incurs administrative costs related to non-sufficient fund checks and in insuring the payment is made. The Township Board determines that a fee of \$20.00 per NSF check reasonably represents the current cost to the Township of responding to such a check.

The Township Board determines that a fee should be imposed upon persons who write NSF checks to the Township to recover the Township’s costs.

#### **Section 32.2 Fees and Penalties.**

- A. A fee of \$20.00 (which amount may be revised by resolution of the Township Board from time to time), is hereby imposed upon each person who remits to the Township a check payable to the Township which is dishonored for non-sufficient funds, or any other reason (“NSF Check Fee”).
- B. If an NSF check was remitted for the purpose of paying for a zoning permit, building permit, electrical permit, zoning escrow, or other fee for review or approval, or for receipt of a service or document or privilege, then the NSF fee shall increase the applicable amount of the fee due and payable. The applicant shall be required to make payment of the base fee plus the NSF fee as a condition of receiving the permit, approval, good, service, or privilege.
- C. In the case of a dishonored check presented for payment of Township public utilities, the NSF fee shall be added to periodic rates and charges and may be collected in the manner provided by resolution, ordinance and laws for these fees.
- D. In addition to all other methods available by law or resolution, the Township may sue in a Court of competent jurisdiction to recover these fees, and upon prevailing in such case, shall be entitled to its costs, including reasonable attorney fees.