

**ORIGINAL**

ORDINANCE 2017- 014

**ORDINANCE AMENDING SECTION 1-8-3 OF THE DELAWARE  
COUNTY CODE OF ORDINANCES**

WHEREAS, the Board of Commissioners of Delaware County, Indiana (the "Commissioners") has adopted a policy for imposing fees associated with any unpaid and dishonored check used for making payments to Delaware County, Indiana (the "County"); and

WHEREAS, this policy is currently described in Section 1-8-3 of the County's Code of Ordinances and limits fee imposition and collection to the office of the Delaware County prosecuting attorney; and

WHEREAS, the Commissioners have determined a need to amend the County's existing Code of Ordinances in order to expand and clearly state the County's policy regarding fees associated with payments to the County with unpaid and dishonored checks.


IT IS THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA that:

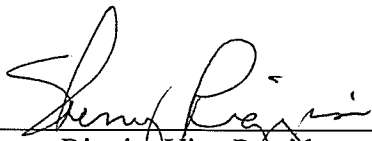
1. The following shall be added to Section 1-8-3 of the Delaware County Code of Ordinances as Subsection G:

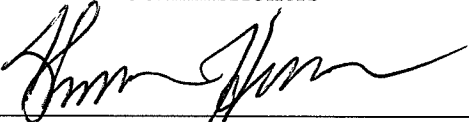
"Notwithstanding subsections A through F of this Section, the County shall impose a service charge for each unpaid and dishonored check used to pay any amount due to the County not otherwise covered by subsections A through F, above, to be paid by the payor of such unpaid or dishonored check for which notice is sent pursuant to IC 35-43-5-5(e). Said service charge shall be in such an amount as the County may stipulate and fix on a uniform basis (which charge may be a fixed dollar amount or a percentage of the value of the bad check, but which may not exceed the amount permitted under IC 35-43-5-5 (e)) to cover the costs of providing such services which said charge shall be reasonably related to the costs associated with exercising such regulatory power."

2. This Ordinance shall take effect upon adoption.

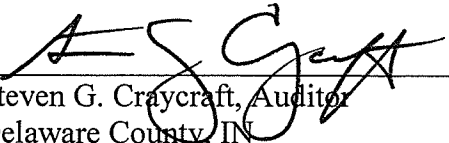
***PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS, DELAWARE  
COUNTY, INDIANA ON THIS, THE 19TH DAY OF JUNE, 2017.***

  
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James King, President  
Board of Commissioners

  
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Sherry Riggins, Vice President  
Board of Commissioners

  
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Shannon Henry, Member  
Board of Commissioners

Attest:

  
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Steven G. Craycraft, Auditor  
Delaware County, IN