

**SUMMIT TOWNSHIP
ERIE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2017-01

AN ORDINANCE TO PROVIDE FOR AND AUTHORIZE THE IMPOSITION OF A SERVICE FEE FOR CHECKS ACCEPTED FOR PAYMENT BY THE TOWNSHIP OR THE TOWNSHIP TAX COLLECTOR RETURNED BECAUSE OF INSUFFICIENT OR UNCOLLECTIBLE FUNDS

WHEREAS, the Summit Township (the "Township") and the Tax Collector of Summit Township (the "Tax Collector") have the authority to accept checks for payment of monies owed to the Township; and

WHEREAS, the Pennsylvania Crimes Code, 18 Pa.C.S. §4105(e)(3), authorizes the levying of service charges against those convicted of issuing "bad checks;" and

WHEREAS, the Board of Supervisors of Summit Township, pursuant to the Second Class Township Code, 53 P.S. §66506, believe it necessary to the proper management of the Township and the Township's finances to impose a service fee for checks accepted for payment by the Township or the Tax Collector that are returned due to insufficient or uncollectible funds;

NOW THEREFORE, this 17th day of January, 2017, be it enacted and ordained by the Board of Supervisors of Summit Township, Erie County, Pennsylvania, and it is hereby ordained as follows:

Section 1. Recitals

1. The recitals set forth above are incorporated herein as if more fully set forth herein.

Section 2. Service Fees

1. The Township and the Tax Collector are hereby authorized to impose a service fee for checks accepted for payment by the Township or the Tax Collector that are returned due

to insufficient or uncollectible funds. The service fee shall be Twenty-Five Dollars (\$25), unless the Township or the Tax Collector is charged a greater amount by their respective financial institutions, in which case the fee shall be the amount charged by the financial institution.

2. The drawer of the returned check shall be responsible to pay the service fee upon notification from the Township or the Tax Collector. Failure to pay the service fee upon notice to do so and upon being found civilly or criminally liable for the passing of "bad checks," shall result in a penalty of Fifty Dollars (\$50), plus court costs and reasonable attorney fees incurred by the Township in enforcement proceedings.

Section 3. Severability

1. Should any section or provision of this Ordinance be declared to be invalid by the courts, such decision shall not affect the validity of the Ordinance as a whole, nor the validity of any other section or provision of this Ordinance than the one so declared.

Section 4. Repeal

1. All other Ordinances or parts of Ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

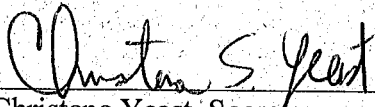
Section 5. Effective Date

1. This Ordinance shall take effect five (5) days after its enactment and adoption.

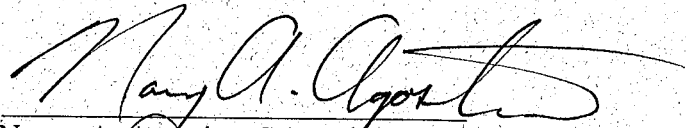
Being enacted and ordained on the day first written above by the Board of Supervisors of
Summit Township, Erie County, Pennsylvania.

ATTEST:

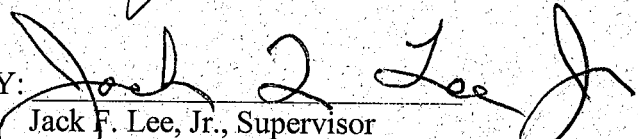
SUMMIT TOWNSHIP



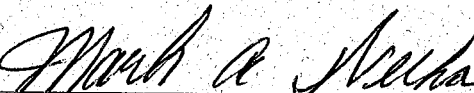
Christene Yeast, Secretary

BY: 

Nancy A. Agostine, Supervisor

BY: 

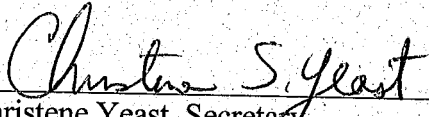
Jack F. Lee, Jr., Supervisor

BY: 

Mark A. Welka, Supervisor

SECRETARY CERTIFICATE

I hereby certify a true copy of the Summit Township, Erie County, Pennsylvania,
Ordinance No 2017-01 adopted by the Board of Supervisors on January 17, 2017 and advertised
in the Erie Times News on January 3, 2017 and January 11, 2017.



Christene Yeast, Secretary

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