

## **BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION**

NOTICE is hereby given that **Ordinance 04-2023** - Ordinance of the Borough of Eatontown Entitled "**AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 118 “CHECKS”, ARTICLE I “INSUFFICIENT FUNDS” SECTION 118-1(a) “SERVICE CHARGE; OTHER REMEDIES” TO REDUCE THE RETURNED CHECK FEE**" was passed after a public hearing at the regular meeting of February 8, 2023 by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

### **ORDINANCE 04-2023**

#### **BOROUGH OF EATONTOWN**

#### **COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

#### **AN ORDINANCE OF THE BOROUGH OF EATONTOWN AMENDING CHAPTER 118 “CHECKS”, ARTICLE I “INSUFFICIENT FUNDS” SECTION 118-1(a) “SERVICE CHARGE; OTHER REMEDIES” TO REDUCE THE RETURNED CHECK FEE**

**WHEREAS**, Section 118-1(a) of the Code of the Borough of Eatontown (the “Borough”) currently mandates a service charge of \$35.00 for any check made payable to the Borough that is returned due to insufficient funds; and

**WHEREAS**, the current fee of \$35.00 is above the statutory limit for returned check fees and thus, the Borough Council has determined it is appropriate to lower the fee from \$35.00 to \$20.00.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey that it hereby amends the Borough Code as follows:

The contents of Chapter 118, Section 118-1(a) shall be amended as follows:

[deletions are shown as stricken and additions are shown as underlined]

Whenever payment on any account owing to the Borough of Eatontown is made by check or other written instrument, which is subsequently returned for insufficient funds, the Chief Financial Officer or his/her designee may impose a service charge of ~~\$35~~ \$20.00 for each returned check or written instrument.

**BE IT FURTHER ORDAINED**, that:

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.