

RESOLUTION NO. 2022-12-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS, ADOPTING A NON-SUFFICIENT FUNDS (NSF)/ RETURNED CHECKS OR BANK DRAFTS/AUTOMATED CLEARING HOUSE (ACH) REJECTS POLICY AND FEE; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR SEVERABILITY; PROVIDING A CUMULATIVE REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to establish a citywide policy and procedure to manage Non-sufficient Funds (NSF)/returned checks or bank drafts/Automated Clearing House (ACH) rejects to apply to all services and supplies provided to customers; and

WHEREAS, it is the goal of the City of Decatur to incorporate this policy when a City of Decatur facility accepts payments; and

WHEREAS, the City currently charges a fee of \$25 for non-sufficient funds (NSF)/ returned checks or bank drafts/Automated Clearing House (ACH) rejects and desires to increase the fee to \$30 per occurrence as allowed per state law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS:

Section 1. Incorporation of Premises. All of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.

Section 2. Adoption of Policy. The non-sufficient funds (NSF)/returned checks or bank drafts/Automated Clearing House (ACH) rejects Policy and Procedures, attached as Exhibit A, is hereby adopted and shall be followed by City staff for all returned checks or bank drafts or other returned forms of payment issued to the city for services and supplies.

Section 3. Severability. Should any section, subsection, sentence, clause, or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City hereby declares that it would have passed this Resolution, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

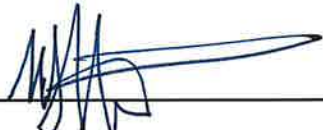
Section 4. Cumulative Repealing. This Resolution shall be cumulative of all resolutions of the City, as amended, except where the provisions hereof are in direct conflict with the provisions of such resolutions, in which event the provisions of the resolution passed

latest in time shall prevail.

Section 5. Effective Date. That this Resolution shall become effective immediately from and after its passage, and it is so resolved.

PASSED AND APPROVED by the City Council of the City of Decatur, Texas this the 12th day of December, 2022.




Mike McQuiston, Mayor

ATTEST:



Asucena Garcia, TRMC
City Secretary

APPROVED AS TO FORM:



Pam Lister, City Attorney