

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

O-02-23

At the regular meeting of the Board of Supervisors of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 13th day of February, 2023:

Present:	Vote:
John N. Lockwood	Aye
Thomas W. Evelyn	Aye
Patricia A. Paige	Aye
Ronald P. Stiers	Aye
C. Thomas Tiller, Jr.	Aye

Motion was made by Mr. Evelyn, which carried 5:0, to adopt the following resolution:

**AN ORDINANCE AMENDING SECTION 2-141 AND
APPENDIX A (FEE SCHEDULE) OF THE NEW KENT
COUNTY CODE TO INCREASE THE RETURN CHECK
FEE UNDER THE AUTHORITY GRANTED IN THE
CODE OF VIRGINIA**

WHEREAS, section 15.2-106 of the Code of Virginia authorizes localities to impose a return check fee for any customer presenting a check, draft, order for payment that is returned due to nonsufficient funds; and

WHEREAS, the financial institutions are also imposing a return check fee on New Kent County for any check received from a customer and deposited to a New Kent County account that is returned due to nonsufficient funds; and

WHEREAS, the fees imposed on New Kent County by financial institutions are greater than the fees New Kent County is presently collecting from customers; and

WHEREAS, the New Kent County return check fee must be increased to offset those fees charged by the financial institutions.

NOW THEREFORE BE IT ORDAINED AND ENACTED, by the New Kent County Board of Supervisors pursuant to the authority granted in the Code of Virginia, that section 2-141 and Appendix A (Fee Schedule) be amended as follows:

Sec. 2-141. Fee for returned checks.

If any check, draft, credit card, debit card electronic funds transfer or any other means of payment tendered person shall utter, publish or pass any check or draft for payment of taxes or any other sums due the county which is subsequently returned for insufficient funds or because there is no account or the account is closed, ~~a fee as provided in appendix A to this Code shall be charged to such person~~ the person by whom such check, draft, credit card, debit card, electronic funds transfer or other means of payment was tendered shall be subject to a service charge of \$35.00 for the processing of the returned check, draft, credit card, debit card, electronic funds transfer or other means of payment. ~~Such fee shall be added to the amount due and may be collected as taxes, interest and penalties are collected.~~

(Code 1999, § 14-6; Ord. No. O-09-00, 12-11-2000; Ord. No. O-02-23, 02-13-2023)

State law reference(s)—Authority for above section, Code of Virginia, § 15.2-106.

APPENDIX A - FEES

PUBLIC UTILITIES

Fee Description	Current Fee
Returned check fee (utility)	\$25.00

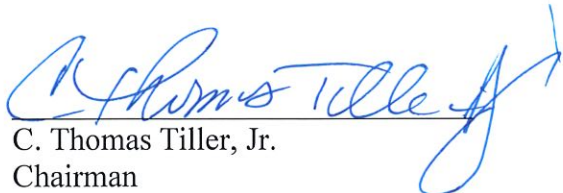
TAXATION

Fee Description	Current Fee
Return Check	\$25.00

Effective Date. This Ordinance shall take effect upon adoption.



Rodney A. Hathaway
County Administrator



C. Thomas Tiller, Jr.
Chairman