

ORDINANCE-NO. 1990 - 2

This is an Ordinance to establish certain fees to be assessed for taxpayers requesting duplicate tax bills, requiring Mobile Home Permits of the County Treasurer, for checks payable to any office of County government which is returned unpaid by the bank upon which it is written, and for collection of a penalty on all checks collected by the Prosecuting Attorney under the provisions of IC 35-43-4-3.

WHEREAS, Indiana Code 36-1-3-1 to 9 inclusive grants certain Home Rule powers to County government entities; and

WHEREAS, the Treasurer of Shelby County, Indiana, has many requests for duplicate tax bills which requires extra preparation by the Treasurer's office personnel at an additional expense to the County; and

WHEREAS, the Treasurer is required to complete and has numerous requests for Mobile Home Permits for the transfer of title and/or of location of mobile homes which requires special services at County expense; and

WHEREAS, all offices and units of Shelby County Government receive checks which fail to clear the bank on which they are written and are returned to the unit of County government as unpaid which all requires additional work and expense for the various units of County government; and

WHEREAS, numerous checks are received by the Prosecuting Attorney of the 16th Judicial Circuit (Shelby County) which require investigation and attention of the office personnel of the Prosecuting Attorney's office with respect to the commission of the offense of Check Deception and to avoid the overloading of the Courts with the minor cases, the Prosecuting Attorney's office elects to collect the bad check rather than prosecute charges; and

WHEREAS, it is the desire of the Board of Commissioners of the County of Shelby to require those persons causing the governmental offices to incur extra work and expenses to be responsible for the payment of the extra costs.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of Shelby County, Indiana, that Article 7, Chapter 7, of the Shelby County Code be amended by the adding of a new Section 5, which section shall be cited as SCC-7-7-5 and shall read as follows:

- Sec. 5 (a) The Treasurer of Shelby County shall collect for all duplicate tax bills - \$1.00 each.
- (b) The Treasurer of Shelby County shall collect for all Mobile Home Permits the sum of \$2.00.
- (c) All Shelby County offices shall be entitled to collect a fee of \$15.00 for each check returned to the particular unit of County government as being unpaid by the bank upon which the check may be written or drawn irregardless of the reason for such return.

(d) The Prosecuting Attorney of the 16th Judicial Circuit is hereby authorized and shall collect a fee of \$10.00 from the maker of each check which the office of the Prosecuting Attorney collects either in lieu of prosecution for Check Deception of which may be collected after prosecution and the filing of criminal charges. Each fee assessed shall be in addition to any and all court costs assessed against the maker.

(e) All funds received by the County Treasurer, under subsection (a) and (b), by any unit or office of County government and subsection (c) and by the Prosecuting Attorney under subsection (d) shall be deposited in the Shelby County General Fund.

This Ordinance shall be effective upon enactment and the proper publication of the same pursuant to the provisions of I.C. 36-2-4-8.

Approved this 19th day of MARCH, 1990, by a vote of 3 ayes and 0 naves of the Board of Commissioners of the County of Shelby, State of Indiana.

Maurice Leap
Maurice Leap, President

Marlin G. Everhart
Marlin G. Everhart

Kenneth Nigh
Kenneth Nigh

Attest:

Thomas V. Duvelius
Thomas V. Duvelius
Shelby County Auditor