

# TOWN OF WEATHERSFIELD, VERMONT

## RETURNED CHECK POLICY

---

---

### I. POLICY OBJECTIVES

The primary objective of the Town of Weathersfield's returned check policy is to ensure that the taxpayers of the Town do not incur additional costs and expenditures due to the wrongful or accidental action of an individual taxpayer, voter, or resident who issues a improper check or money draft.

### II. DEFINITIONS

1. **“Returned check”** shall mean a check or similar sight order for the payment of money which is not honored by the drawee. The refusal to honor may be because the issuer had insufficient funds with the drawee at the time the check or order was issued or presented for payment, or payment was refused by the drawee for reasons other than seizure or attachment of the issuer's funds by order of a court or authorized governmental agency.

### III. PROCEDURES

1. Upon receipt of a returned check from a banking institution, the Town Treasurer or his/her designee shall forward a letter, by certified mail with return receipt requested, requesting that the issuer satisfy the debt by either tendering cash, money order, or bank check for the amount due. This letter shall include a requirement that the replacement payment shall be received at the Town's offices no more then ten (10) days after the receipt of the letter.
2. The letter shall include notification that an additional fee of Fifteen Dollars (\$15.00) will be included and due to the Town for the costs of processing the return check.
3. The returned check fee shall be deducted first from any payments received, and the remaining balance shall be applied to the original bill due.
4. In cases where the issuer does not make restitution, or acceptable arrangements to make restitution, within the ten (10) day period, and the value of the returned check is greater than Fifty Dollars (\$50.00) and does not represent payment of real estate taxes, the Town Treasurer shall have the discretion to initiate either civil or criminal actions, pursuant to Title 13, Section 2022, or Title 12, Chapter 187, the Vermont Statutes Annotated, to recover and satisfy the debt. Should such action become necessary, the Town shall petition to recover any additional costs it may incur.

**TOWN OF WEATHERSFIELD, VERMONT**  
**RETURNED CHECK POLICY**

---

---

**IV. INCONSISTENT POLICIES REPEALED**

This Policy shall amend and replace any provisions of any Policy of the Town of Weathersfield in effect at the time of enactment of this amended Policy governing any activity included in this amended Policy.

**V. SEVERABILITY**

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Policy, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Policy or any part thereof.

The Board of Selectmen hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

**VI. EFFECT**

No section of this Policy shall be construed to supersede or replace any Vermont statute.

This amended Policy shall be entered in the minutes of the Board of Selectmen's meeting.

The foregoing amended Policy is hereby adopted by the Selectmen of the Town of Weathersfield, Vermont, this sixteenth day of April, 2001, and is effective as of this date until amended or repealed.

\_\_\_\_\_  
C. Peter Cole, Chairperson

\_\_\_\_\_  
Patricia W. Daniels, Vice-Chairperson

\_\_\_\_\_  
David T. Fuller, Clerk

\_\_\_\_\_  
Randy S. Brown, Selectperson

\_\_\_\_\_  
Frederick W. Crowley, Selectperson