

1 **..Title**

2 **Payment for City Services** — For the purpose of establishing a fine for dishonored checks and  
3 other written instruments; establishing a convenience fee related to accepting payment over the  
4 phone or online; and establishing a penalty for late payment of sewer service bills.

5 **..Body**

6 **CITY COUNCIL OF THE**  
7 **City of Annapolis**

8  
9 **Ordinance 23-20**

10  
11 **Introduced by: Mayor Buckley**  
12 **Co-sponsored by:**

13  
14 **Referred to**

15 **Environmental Matters Committee**

16 **Finance Committee**

17 **90 day Rule: 8/24/20**

18  
19 **AN ORDINANCE** concerning

20  
21 **Payment for City Services**

22  
23 **FOR** the purpose of establishing a fine for dishonored checks and other written instruments;  
24 establishing a convenience fee related to accepting payment over the phone or online; and  
25 establishing a penalty for late payment of sewer service bills.

26  
27  
28 **BY** repealing and re-enacting with amendments the following portions of the Code of the City  
29 of Annapolis, 2020 Edition  
30 16.16.020

31  
32 **BY** adding the following portions to the Code of the City of Annapolis, 2020 Edition  
33 6.04.270  
34 6.04.280

35  
36 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**  
37 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

38  
39 **TITLE 6 - REVENUE AND FINANCE**

40 **Chapter 6.04 - FINANCE AND TAXATION GENERALLY**

41  
42 **SECTION 6.04.270 – PAYMENT BY CHECK.**

43  
44 **A. APPLICABILITY.** THIS SECTION APPLIES TO A CHECK OR WRITTEN  
45 INSTRUMENT USED IN THE PAYMENT OF ANY TAX, CHARGE, FEE,

1 ASSESSMENT, OR IMPOST OF ANY KIND LEVIED OR IMPOSED UNDER ANY  
2 LAW, ORDINANCE, RULE, OR REGULATION.

3  
4 B. **EXCEPTION.** THIS SECTION DOES NOT APPLY TO A CHECK THAT IS NOT  
5 HONORED DUE TO THE FAULT OR NEGLIGENCE OF THE CITY.

6  
7 C. **AUTHORITY.** SUBJECT TO THE PROVISIONS OF § 15-801 ET SEQ. OF THE  
8 COMMERCIAL LAW ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS  
9 MAY BE AMENDED, THE CITY SHALL IMPOSE A FINE AGAINST ANY PERSON  
10 PRESENTING A CHECK OR SIMILAR WRITTEN INSTRUMENT TO THE CITY, THE  
11 DIRECTOR OF FINANCE, OR ANY AGENT OR EMPLOYEE OF THE CITY, IF THE  
12 FINANCIAL INSTITUTION UPON WHICH IT IS DRAWN:

- 13  
14 1. DOES NOT PAY THE CHECK OR WRITTEN INSTRUMENT IN FULL AND  
15 INDICATES "NO FUNDS" OR "ACCOUNT CLOSED"; OR  
16 2. DISHONORS THE CHECK OR WRITTEN INSTRUMENT REGARDLESS OF  
17 REASON, WHEN IT IS PRESENTED A SECOND TIME FOR PAYMENT.

18  
19 D. **PENALTY - COLLECTION.**

- 20  
21 1. THE DIRECTOR OF FINANCE SHALL COLLECT THE FINE AS ESTABLISHED  
22 BY RESOLUTION OF THE CITY COUNCIL.  
23 2. IN THE SAME MANNER AND TO THE SAME EXTENT AS THE TAX, CHARGE,  
24 FEE, ASSESSMENT, OR IMPOST IN CONNECTION WITH WHICH THE  
25 WORTHLESS INSTRUMENT WAS PRESENTED IN PAYMENT IS COLLECTED,  
26 THE FINE SHALL BE:

- 27  
28 (A) A LIEN ON THE PROPERTY INVOLVED IN ANY APPROPRIATE CASE;  
29 (B) ENTERED IN THE RECORDS OF THE DEPARTMENT OF FINANCE; AND  
30 (C) WHERE APPROPRIATE, RECORDED AS A LIEN ON THE CITY TAX  
31 RECORDS.

32  
33  
34 **SECTION 6.04.280 – PAYMENT BY PHONE OR ONLINE - CONVENIENCE FEE.**

35  
36 A. **APPLICABILITY.** THIS SECTION APPLIES TO PAYMENT OVER THE PHONE OR  
37 ONLINE OF ANY TAX, CHARGE, FEE, ASSESSMENT, OR IMPOST OF ANY KIND  
38 LEVIED OR IMPOSED UNDER ANY LAW, ORDINANCE, RULE, OR REGULATION.

39  
40 B. **AUTHORITY.** THE DIRECTOR OF FINANCE IS HEREBY AUTHORIZED TO  
41 ACCEPT PAYMENT OVER THE PHONE OR ONLINE OF LOCAL TAXES AND OTHER  
42 FEES, FINES, PENALTIES, AND INTEREST BY THE USE OF A DEBIT OR CREDIT  
43 CARD. THE DIRECTOR OF FINANCE SHALL ADD TO SUCH PHONE OR ONLINE  
44 PAYMENT A CONVENIENCE FEE AS ESTABLISHED BY THIS SECTION.

45

1 C. **COLLECTION.** IF ANY PHONE OR ONLINE TRANSACTION TENDERED FOR  
2 PAYMENT OF ANY TAX OR OTHER FEE, FINE, PENALTY, AND INTEREST DUE IS  
3 NOT PAID BY THE BANK, DEBIT CARD COMPANY, OR CREDIT CARD COMPANY,  
4 THE INDIVIDUAL FOR WHOM SUCH PHONE OR ONLINE TRANSACTION WAS  
5 TENDERED SHALL REMAIN LIABLE FOR THE PAYMENT OF THE TAX OR OTHER  
6 FEE, FINE, PENALTY, AND INTEREST, THE SAME AS IF SUCH PHONE OR ONLINE  
7 TRANSACTION HAD NOT BEEN TENDERED.

8  
9 D. **AMOUNT OF FEE.** THE CONVENIENCE FEE SHALL BE A FLAT AND FIXED  
10 AMOUNT ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL FOR THE  
11 ACCEPTANCE OF A PHONE OR ONLINE PAYMENT. THE CONVENIENCE FEE  
12 SHALL BE THE SAME AMOUNT REGARDLESS OF THE VALUE OF THE PAYMENT  
13 DUE.

14  
15 E. **NOTIFICATION.** THE DIRECTOR OF FINANCE MUST PROVIDE ADVANCE  
16 NOTICE OF THE CONVENIENCE FEE THAT WILL BE APPLIED TO ANY PHONE OR  
17 ONLINE PAYMENT WITH AN OPPORTUNITY TO CANCEL THE PHONE OR ONLINE  
18 PAYMENT. THE CONVENIENCE FEE MUST BE INCLUDED IN THE TOTAL  
19 TRANSACTION AMOUNT.

20  
21 **TITLE 16 - PUBLIC SERVICES**

22 **Chapter 16.16 - SEWER SERVICE**

23  
24 **Section 16.16.020 – BILLING – PENALTY - Lien—Collection.**

25  
26 A. A PENALTY OF TEN PERCENT SHALL BE ADDED TO EACH SEWER SERVICE BILL  
27 UNPAID AFTER THIRTY DAYS.

28  
29 B. All charges for sewer service shall be a lien upon the property to be collected in the same  
30 manner as municipal taxes are collected.

31  
32  
33 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
34 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.

35  
36  
37 **Explanation:**

38 UPPERCASE indicates matter added to existing law.

39 ~~Strikethrough~~ indicates matter stricken from existing law.

40 Underlining indicates amendments.