ORDINANCE NO. 2025-19

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 1-16 ENTITLED "RETURN CHECK SERVICE CHARGE; SUBSEQUENT PAYMENT; STOP PAYMENT FEES OF CHAPTER 1 – GENERAL PROVISIONS – AND SECTION 123-7 ENTITLED "PAYMENT OF CHARGES; RETURNED CHECKS – OF CHAPTER 123 ENTITLED "SEWER UTILITY" TO AMEND THE FEES ESTABLISHED BY THE REFERENCED SECTIONS AS THEY RELATE TO INSUFFICIENT FUNDS/ DISHONORED CHECKS AND STOP PAYMENT REQUESTS

WHEREAS, the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey wishes to amend Section 1-16 – Return Check Service Charge; Subsequent Payment; Stop-Payment Fee – of Chapter 1 entitled "General Provisions" of the Phillipsburg Town Code to increase the fees for insufficient funds/dishonored checks and stop payment requests; and

WHEREAS, the Town Council also wishes to amend Section 123-7 – Payment of Charges; Returned Checks – of Chapter 123 entitled "Sewer Utility" to increase the fees for insufficient funds/dishonored checks; and

WHEREAS, presently, the fee for insufficient funds or dishonored checks is twenty dollars ($20.00) and the fee for a stop payment request is twenty-five dollars ($25.00); and

WHEREAS, the Town of Phillipsburg believe that the twenty-dollar ($20.00) and twenty-five-dollar ($25.00) fees merit an increase to be consistent with the relevant costs associated therewith; and

WHEREAS, the Town Council of the Town of Phillipsburg believes that increasing the fees from twenty dollars ($20.00) and twenty-five dollars ($25.00), respectively, to thirty-five dollars ($35.00) is in the best interest of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey that Section 1-16 – Return Check Service Charge; Subsequent Payment; Stop-Payment Fee – of Chapter 1 entitled "General Provisions" and Section 123-7 – Payment of Charges; Returned Checks – of Chapter 123 entitled "Sewer Utility" of the Phillipsburg Town Code be amended and supplemented to increase the fees pronounced therein from twenty dollars ($20.00) and twenty-five dollars ($25.00), respectively, to thirty-five dollars ($35.00), as follows:

SECTION I:

Deletions to this Section shall be delineated by strikethrough text, ~~thusly~~.

Additions to this Section shall be delineated by underlined text, thusly.

§ 1-16. Return Check Service Charge; Subsequent Payment; Stop-Payment Fee.

A. In the event that any check tendered for the payment of municipal fee for any permit, license or other application is returned to any agency or department of the Town of Phillipsburg for insufficient funds, or is dishonored by the bank upon which it is drawn, there shall be assessed to the payor a service charge in the amount of ~~$20~~ $35.00.

B. [. . .]

C. In the event that any recipient of a check issued by the Town of Phillipsburg requests the Town to stop payment of the check due to, among other things, loss or destruction of the check, there shall be assessed to the recipient a stop-payment fee in the amount of ~~$25~~ $35.00.

SECTION II:

Deletions to this Section shall be delineated by strikethrough text, ~~thusly~~.

Additions to this Section shall be delineated by underlined text, thusly.

§ 123-7. Payment of Charges; Returned Checks.

A. Payment of municipal sewer user shall be made to the Town of Phillipsburg, Municipal Sewer Utility.

B. In the event that any check tendered for the payment of municipal sewer charges is returned to the Sewer Utility for insufficient funds or is dishonored by the bank upon which it is drawn, there shall be assessed to the account of the taxpayer a service charge in the amount of ~~$20~~ $35.00 for the handling of said check. That ~~$20~~ $35.00 shall become a lien against the property in question in the same manner as delinquent sewer bills in the Town of Phillipsburg.

C. Subsequent payments may be required by the Sewer Utility Collector to be made by cash, certified check or cashier's check for all future payments.

SECTION III: Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION IV: Repealer.

Any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

SECTION V: Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST: **TOWN OF PHILLIPSBURG**

_____ _____

Susan Turner Randy S. Piazza, Jr.

Acting Municipal Clerk Mayor

Dated:

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Town of Phillipsburg held on October 22, 2025, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Town Council to be held on November 12, 2025, at 6:00 PM or as soon thereafter as the Town Council may hear this Ordinance at the Phillipsburg Senior Center, 310 Firth Street, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

CERTIFICATION

I, Susan Turner, Acting Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their November 12, 2025 meeting.

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Susan Turner, Acting Municipal Clerk