

ORDINANCE NO. 343 – 2016

ADMINISTRATIVE FEES AND CHARGES

AN ORDINANCE OF THE CITY OF NEW MEADOWS, IDAHO; ESTABLISHING CERTAIN ADMINISTRATIVE FEES AND CHARGES; PROVIDING FOR THE PURPOSE; CREATING DEFINITIONS; CITING REFERENCES; IDENTIFYING FEES AND FINANCIAL CHARGES; PROVIDING FOR SERVABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDANINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF NEW MEADOWS IDAHO AS FOLLOWS:

SECTION 1.01 SHORT TITLE:

This ordinance shall be known and may be cited as the “New Meadows Administrative Fees Ordinance”

SECTION 1.02 PURPOSE:

The purpose and intent of this ordinance is to recoup certain costs for Notarial Acts, Returned Financial Instruments and Public Records Requests.

SECTION 1.03 DEFINITIONS:

Notarial Act: - Means any official act performed by a notary public under the provisions of Idaho Code Section 51-107 as currently or subsequently adopted or changed.

Returned Financial Instrument: - Means any financial instrument such as check or money order, debit card transaction, credit card transaction; paid to the order of the City of New Meadows that has been returned as uncollectable for any reason.

Public Record: - Means any writing containing information relating to the conduct or administration of the public’s business prepared, owned, used or retained by the City of New Meadows, regardless of physical form or characteristics.

Public Record Certification: - Means any public record in which the requestor has requested a statement from the City Clerk certifying the record to be a true and correct copy under seal of the City Clerk.

SECTION 1.04 REFERENCES CITED:

- Idaho Code Title 51 Chapter 1 (Idaho Notary Public Act)
- Idaho Code Title 74 Chapter 1 (Public Records)
- Idaho Code Title 28 Chapter 42 Part 3 (Dishonored Check Fees)

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SECTION 1.05 IDENTIFYING FEES AND FINANCIAL CHARGES:

WHEREAS, Idaho Code Chapter 51-110 allows for a fee to be charged for a Notarial Act and the City of New Meadows wishes to provide notarial services for the community; and

WHEREAS, Idaho Code Chapter 74 allows for the public to examine, copy, request a certified copy(ies) of a public record held by the City upon receipt of a Public Records Request, and shall not charge a fee with the exception(s) of Idaho Code Chapter 74-102 10b. The City of New Meadows wishes to recoup costs in processing and fulfilling public records requests for the public; and

WHEREAS, Idaho Code Title 28, Chapter 42, Part 3 allows for a dishonored check fee and from time to time, the city receives a Financial Instrument identified as uncollectable, and wishes to recoup the costs of processing said checks;

WHEREAS, from time to time after appropriate public notice, the New Meadows City Council may by resolution set fees for the items listed above.

SECTION 1.06 PROVIDING FOR SERVABILITY:

Should any section, subsection, paragraph, sentence or clause thereof, or any particular application thereof, be declared unconstitutional or invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance

SECTION 1.07 PROVIDING FOR AN EFFECTIVE DATE:

This Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the Council and APPROVED by the Mayor of the City of New Meadows, Idaho this 11th day of July, 2016.

/s/ Anthony J Koberstein
Anthony J Koberstein, Mayor

ATTEST: */s/ Jacob M Qualls*
Jacob M Qualls, City Clerk / Treasurer