

ORDINANCE NO. 2019- _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, ENTITLED "FEE SCHEDULE," TO CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," ARTICLE V, "FINANCE", "FEE FOR DISHONORED CHECKS OR ELECTRONIC FUNDS TRANSFER," BY AMENDING THE FEE FOR DISHONORED CHECKS AND ELECTRONIC FUNDS TRANSFERS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, Section 832.062(4)(a) F.S. provides for escalating fees based on the face value of a dishonored check or electronic funds transfer; and

WHEREAS, the City Administration has reviewed Section 2-277 of the Miami Beach City Code, "Fees for Dishonored Checks" specified in Appendix A, "Fee Schedule" and has determined that the fee for dishonored checks and electronic funds transfers should be increased to the amounts set forth in Section 832.062(4)(a) F.S.; and

WHEREAS, the amendment set forth below is necessary to accomplish the above objective.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Appendix A, entitled "Fee Schedule," to Chapter 2 of the Miami Beach City Code, entitled "Fees for Dishonored Checks," Article V – "Finance," is hereby amended as follows:

APPENDIX A- FEE SCHEDULE

<i>Section this Code</i>	<i>Description</i>	<i>Amount</i>
	Subpart A – General Ordinances	
	Chapter 2. Administration	
	<i>Article V. Finance</i>	
	* * *	
2-277	<i>Fee for dishonored checks <u>or</u> electronic funds transfer</i>	\$20.00
	Or 5% of face amount of check <u>If face value is \$50 or less</u> <u>If face value exceeds \$50 but does not exceed \$300</u> <u>If face value exceeds \$300</u>	\$25.00 \$30.00 \$40.00
		<u>Or 5% of the face amount of the check or electronic funds transfer, whichever is greater</u>
	* * *	

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity. portions of this ordinance.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect 10 days after enactment.

PASSED AND ADOPTED this ____ day of _____, 2019.

ATTEST:

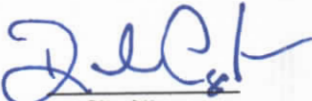
Dan Gelber, Mayor

Rafael E. Granado, City Clerk

Underline denotes additions
Strikethrough denotes deletion

(Sponsored by Commissioner Mark Samuelian)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *SW*

7/8/19

Date