

**ORDINANCE NO. 2003-15**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY DELETING ALL OF SECTION 2-201 OF ARTICLE IV OF CHAPTER 2 THEREOF AND SUBSTITUTING THEREFOR A NEW SECTION 2-201; PROVIDING THAT CITY COUNCIL SHALL, BY RESOLUTION, DETERMINE THE FEE TO BE CHARGED FOR CHECKS RETURNED TO THE CITY FOR INSUFFICIENT FUNDS; AND PROVIDING SEVERABILITY.**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:**

Section 1. The Code of Ordinances of the City of Tomball, Texas, is hereby amended by deleting Section 2-201 of Article IV of Chapter 2 thereof and substituting therefor a new Section 2.201, to provide as follows:

**“Sec. 2-201. Returned check fee.**

The city shall impose a penalty for all checks given to the city for debts owned, when such checks are returned by the financial institution. The amount of such penalty shall be as determined from time to time by resolution of the city council.”

Section 2. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 20TH DAY OF OCTOBER 2003.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN GATLIN	<u>AYE</u>
COUNCILMAN HOLLAND	<u>AYE</u>
COUNCILMAN STOVALL	<u>AYE</u>
COUNCILMAN MARTIN	<u>AYE</u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 3<sup>RD</sup> DAY OF NOVEMBER 2003.

COUNCILMAN FORD	<u>ABSENT</u>
COUNCILMAN GATLIN	<u>AYE</u>
COUNCILMAN HOLLAND	<u>AYE</u>
COUNCILMAN STOVALL	<u>AYE</u>
COUNCILMAN MARTIN	<u>AYE</u>

(signed) H. G. Harrington  
H. G. HARRINGTON, Mayor  
City of Tomball

ATTEST:

(signed) Doris J. Speer  
DORIS J. SPEER, City Secretary  
City of Tomball