

AN ORDINANCE PROHIBITING THE PASSING OF BAD CHECKS WITHIN THE CITY LIMITS OF THE CITY OF FOLEY, MISSOURI, SETTING PENALTIES FOR THE VIOLATION THEREOF AND MATTERS RELATED THERETO.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FOLEY, MISSOURI, AS FOLLOWS:

Section 1: That cities of the fourth class, Foley being such, have the power to make and pass ordinances for maintaining the peace, good government, welfare of the City and its trade of commerce under the provisions of §79.450 RSMo.

Section 2: That the City has determined that a person commits the offense of passing a bad check when, with the purpose to defraud, the person issues or passes a check or other similar sight order for the payment of money knowing that it will not be paid by the drawee, if the amount involved is less than \$150.00.

Section 3: If the issuer has an account with the drawee, failure to pay the check or order within ten days after notice in writing that it has not been honored because of insufficient funds or credit with the drawee is prima facia evidence of the purpose to defraud and of knowledge that the check or order would not be paid.

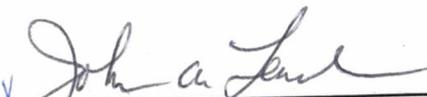
Section 4: That the term "notice in writing" shall mean notice deposited by certified mail, return receipt requested, in the United States mail and addressed to the issuer at the issuer's address as it appears on the dishonored check or to the issuer's last known address.

Section 5: Before a summons shall be issued for the violation of this Section, the complainant shall mail a notice letter on form provided by the City Attorney to the maker or drawer of such check, draft or order by certified mail, return receipt requested, giving ten days notice of the making, drawing, uttering or delivery of such check, draft or order.

Section 6: That any person found guilty of violating the provision of this Ordinance shall be subject to a fine of up to \$500.00 or imprisonment in the Lincoln County jail for a term up to 90 days or both such fine and imprisonment.

Section 7: This Ordinance shall be in full force and effect immediately upon its enactment and approval.

READ THREE TIMES AND APPROVED THIS 16th DAY OF SEPTEMBER, 1992.



MAYOR