

Public Safety
4-7-14

14-556

ORDINANCE

An Ordinance to create Section 14.210 of the Manitowoc Municipal Code, prohibiting individuals from passing worthless checks.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 14.210 is created to read as follows:

“14.210. Worthless Checks. (1) Whoever within a 15 day period issues one or more checks or other orders for payment amounting in the aggregate to \$250.00 or less which, at the time of issuance the person intends shall not be paid is guilty of a violation of this section.

(2) This section shall not apply to any person who has been convicted of violating Wis. Stat. § 943.24 or found guilty of violating this section within the five (5) year period before issuance of the first check or order for payment charged under this section.

(3) Any of the following is prima facie evidence that the person at the time he or she issued the check or other order for the payment of money, intended it should not be paid:

(a) Proof that, at the time of issuance, the person did not have an account with the drawee;

(b) Proof that, at the time of issuance, the person did not have sufficient funds or credit with the drawee and that the person failed within five days after receiving notice of the nonpayment or dishonor to pay the check or other order; or

(c) Proof that, when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the drawee and the person failed within five days after receiving notice of nonpayment or dishonor to pay the check or other order.

(4) This section does not apply to a postdated check or a check given for past consideration, except a payroll check.”

Section 2. This Ordinance shall take effect on the day after its publication.

Introduced April 7, 2014 _____

Adopted _____

Approved _____

Justin M. Nickels, Mayor

This Ordinance was drafted by Kathleen M. McDaniel, Interim City Attorney

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