

**TOWN OF RANDOLPH, VERMONT  
RETURNED CHECK POLICY**

**I. Policy Objectives**

The primary objective of the Town of Randolph's returned check policy is to ensure the taxpayers of the Town do not incur additional costs and expenditures due to the wrongful or accidental action of an individual taxpayer, resident, or other individual paying for services who issues an improper check or money draft.

**II. Definitions**

1. **"Returned check"** shall mean a check or similar sight order for the payment of money which is not honored by the drawee (bank or financial institution). The refusal to honor may be due to the issuer did not having sufficient funds with the drawee at the time the check or order was issued or presented for payment, or payment was refused by the drawee for reasons other than seizure or attachment of the issuer's funds by order of a court or authorized governmental agency.

**III. Procedures**

1. Upon receipt of a returned check from a bank or financial institution, the Town Treasurer or his/her designee shall determine if the returned check can be redeposited.
2. The Town Treasurer shall call the bank or financial institution to determine if there are sufficient funds to redeposit the check. If there are sufficient funds, the Town Treasurer shall redeposit the check into the town's bank account, or take the check to the bank or financial institution of issuance, if it is a local institution, to collect the funds directly, and deposit the cash or bank check into the town's bank account.
3. If the returned check has already been redeposited to the bank two times and there still are insufficient funds, then the Town Treasurer shall forward a letter, by certified mail with return receipt requested, requesting the issuer satisfy the debt by tendering cash, money order, or bank check for the amount due. This letter shall include a requirement that the replacement payment shall be received at the Town's offices no more than ten (10) days after the receipt of the letter.
4. The letter shall include notification of an additional fee of Twenty-Five Dollars (\$25.00) due to the Town for the costs of processing the return check.
5. The returned check fee shall be deducted first from any payments received, and the remaining balance shall be applied to the original bill due.
6. In cases where the issuer does not make restitution, or acceptable arrangements to make restitution within the ten (10) day period, and the value of the returned check is greater than Fifty Dollars (\$50.00) and does not represent payment of real estate taxes, the Town

Treasurer shall have the discretion to initiate either civil or criminal actions, pursuant to Title 13, Section 2022, or Title 12, Chapter 187, the Vermont Statutes Annotated, to recover and satisfy the debt. Should such action become necessary, the Town shall petition to recover any additional costs that may incur.

**IV. Inconsistent Policies Repealed**

This Policy shall amend and replace any provisions of any Policy of the Town of Randolph in effect at the time of enactment of this amended Policy governing any activity included in this amended Policy

**V. Severability**

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Policy, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Policy or any part thereof.

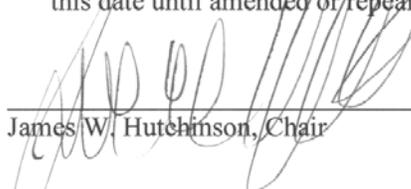
The Selectboard hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

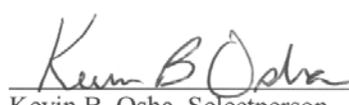
**VI. Effect**

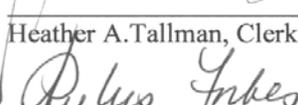
No section of this Policy shall be construed to supersede or replace any Vermont statute.

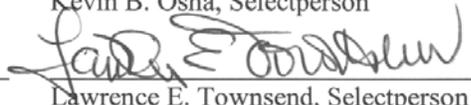
This amended Policy shall be entered in the minutes of the Selectboard's meeting.

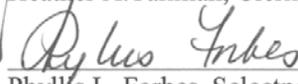
The foregoing amended Policy is hereby adopted by the Selectboard of the Town of Randolph, Vermont, this 15 day of June, 2004, and is effective as of this date until amended or repealed.

  
James W. Hutchinson, Chair

  
Kevin B. Osha, Selectperson

  
Heather A. Tallman, Clerk

  
Lawrence E. Townsend, Selectperson

  
Phyllis L. Forbes, Selectperson

**RANDOLPH TOWN CLERK'S OFFICE**  
Received for Filing

June 16 A.D. 2004  
3 o'clock 04 minutes PM

Attests: 