



CITY OF BALLWIN

14811 Manchester Road, Ballwin, MO 63011

BILL NO. 3792

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY

ALDERMEN TERBROCK, FINLEY, HARDER, DOGAN, FLEMING, LEAHY, KERLAGON, BOLAND

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**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 1 BY THE ADDITION OF A REVISED SECTION 2-7 AMENDING ADMINISTRATIVE POLICIES FOR THE CITY OF BALLWIN.**

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WHEREAS, the Board of Aldermen has determined that it is appropriate to amend certain administrative policies for the operation of the City with respect to payments made to and by the City for various purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 2-7 of the Code of Ordinances of the City of Ballwin shall be repealed and replaced with the following:

**Sec. 2-7. Administrative policies.**

(a) *Checks.*

- (1) Personal checks will only be accepted from the Missouri St. Louis Metro area including St. Louis County, St. Charles County, Jefferson County, Franklin County, and the City of St. Louis.
- (2) A check must bear a date within 30 days prior to receipt of such check.
- (3) All checks received by the city will be deposited to the city's bank in the next deposit day. Exceptions to this rule would be the inability to identify the purpose of the check or a request that the check be held for a specific reason.
- (4) All returned checks and account debits are subject to a service charge.

(b) *Refunds.*

- (1) Refunds for recreational fees are subject to the guidelines stated on the contract when the fee is paid.
- (2) Refunds for inspection fees received by the city will not be returned after 30 days from date of receipt.
- (3) Refunds on business licenses will be made on a pro-rated basis when requested in writing on company letterhead, stating the date of business termination.

- (4) Refunds are generated on all inspections, permits, licenses found not to be viable city venue items.
- (c) *Reimbursements.* Reimbursements to qualifying property owners under the provisions of the sewer lateral repair program will be made only if funds are available in the sewer lateral repair fund and will only be made if work has been approved and carried out in accordance with program policies and procedures. The property owner must provide a paid receipt and lien waivers from all contractors involved. Under no circumstances will a reimbursement be authorized to anyone who was not the owner of the property at the time the repairs were done. Reimbursements are not transferable to subsequent property owners.
- (d) *Service charges.*
- (1) A service charge will be assessed on each return check/account debit.
  - (2) A service charge will be assessed for any check stop payment due to non-fault of the city.
  - (3) A service charge of five percent will be assessed for any payment due to the city deemed delinquent if not paid on the date due and payable. A service charge of five percent shall compound for each additional month thereafter, not to exceed twenty-five percent in the aggregate.

Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3. This ordinance shall take full force and effect from and after the date of its passage by the Board of Aldermen and approval of the Mayor.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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*TIM POGUE, MAYOR*

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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*TIM POGUE, MAYOR*

ATTEST: \_\_\_\_\_  
*ROBERT KUNTZ, CITY ADMINISTRATOR*

## MEMO

To: Bob Kuntz, City Administrator

From: Denise Keller, Finance Officer

Subject: Ordinance regarding violations and penalties for non-payment of taxes and fees

Date: May 7, 2013

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The City of Ballwin has in its Code of Ordinances provisions which allow the City to assess and collect penalties for the delayed payment of business license fees, contractor license fees, manufacturer's license fees and gross utility taxes. These had been set at ten percent of the amount due for the first month or part thereof of such delinquency and one percent for each additional month or part thereof that such delinquency should continue.

During the 2012 legislative session the Missouri General Assembly passed HB 1504, which limits the penalties and interest that municipalities can charge for delinquent business licenses and other fees. Under this new State Statute, we are restricted to assessing five percent of the amount due for the first month and five percent for each subsequent month that the delinquency continues not to exceed twenty five percent in the aggregate. Accordingly, we are amending our ordinances to conform to State Statute.