

ORDINANCE NO. 302

**AN ORDINANCE ESTABLISHING
SERVICE CHARGES FOR DISHONORED CHECKS
FOR THE VILLAGE OF VARNA, MARSHALL COUNTY, ILLINOIS**

Recitals

- A. The Village of Varna (the "Village") is a non-home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 7 of the Illinois Constitution of 1970.
- B. Section 3-806 of the Uniform Commercial Code, 810 ILCS 5/3-608, authorizes the payee of a dishonored check to charge a fee or recover certain costs and expenses.
- C. The Village receives payments by check for a variety of services, permits, and fees from residents and other individuals and corporations.
- D. The Village's Board of Trustees has determined it is necessary and appropriate that the Village recoup expenses incurred when checks received by the Village are dishonored.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Varna, Marshall County, Illinois, as follows herein.

SECTION 1. RECITALS.

The foregoing Recitals are incorporated herein as findings of the Board of Trustees.

SECTION 2. FEE TO BE ASSESSED ON DISHONORED CHECKS.

A surcharge fee of twenty dollars (\$20) shall be assessed for each unpaid and dishonored check or the drawer of such check shall be liable for all costs and expenses, including reasonable attorney's fees and interest at the rate provided for in the Interest Act, 815 ILCS 205/4, incurred by the Village in connection with the collection of the amount for which the check or other draft was written.

SECTION 3. PROCEDURES TO RECOVER THE VILLAGE'S COSTS & EXPENSES.

If the Village seeks to recover costs and expenses in excess of twenty-five dollars (\$25), then the Village shall make a written demand by certified mail, return receipt requested, delivered to the last known address of the person or entity who issued a check or other draft that is dishonored upon presentment. The written demand shall demand payment within thirty (30) days of the mailing of the demand and shall include notice of liability for the costs and expenses and shall otherwise comply the notice requirements, if any, set forth in Chapter 810, Act 5, Section 3-806 of the Illinois Compiled Statutes. The Village may also hand deliver a copy of the notice.

SECTION 4. ADDITIONAL FEES AND COSTS.

The fee or costs and expenses imposed by this Ordinance are in addition to, and not in substitution of, any penalties, fees, or charges authorized by another Village ordinance.

SECTION 5. SEVERABILITY.

If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION 6. EFFECTIVE DATE AND PUBLICATION.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED at a regular meeting of the Board of Trustees of the Village of Varna, Illinois on December 1, 2025, by roll call vote as follows:

TRUSTEE	AYE	NAY	ABSENT
Chambers	X		
Kruse			X
Marliere	X		
Meierkord	X		
Rinaldo			X
Todd	X		

APPROVED on December 1, 2025

N Louis Holocker
Louis Holocker, Village President

PUBLISHED in pamphlet form
on December 2, 2025

ATTEST:

N Wendy Todd
Wendy Todd, Village Clerk

N Wendy Todd
Wendy Todd, Village Clerk

STATE OF ILLINOIS)
COUNTY OF MARSHALL) ss.

CERTIFICATE OF VILLAGE CLERK

I, Wendy Todd, do hereby certify that I am the duly selected and acting Clerk of the Village of Varna, Marshall County, Illinois, and, as such Clerk, I am the keeper of the records and files of the Village. I do further certify that the attached and foregoing is a true and correct copy of AN ORDINANCE ESTABLISHING SERVICE CHARGES FOR DISHONORED CHECKS FOR THE VILLAGE OF VARNA, MARSHALL COUNTY, ILLINOIS, as passed by the Village Board of Trustees at its meeting held on December 1, 2025, and as approved by the Village President on December 1, 2025.

IN WITNESS WHEREOF, I have hereunto fixed my official signature and the corporate seal of the Village of Varna, Illinois.

Dated December 1, 2025

N Wendy Todd
Wendy Todd, Village Clerk

