



Ordinance 664

**AN ORDINANCE AMENDING CHAPTER 98 OF THE CODE
OF THE TOWN OF ELSMERE TO ALLOW PAYMENT PLANS
FOR CERTAIN FINES DUE TO THE TOWN OF ELSMERE
VOLUNTARY ASSESSMENT CENTER**

Sponsored By:

First and Second Reading: February 10, 2022

Results: Passed 6 In Favor, 0 Opposed

Third and Final Reading: March 10, 2022 Council Meeting

Results:

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AN ORDINANCE AMENDING CHAPTER 98 OF THE CODE OF THE TOWN OF ELSMERE TO ALLOW PAYMENT PLANS FOR CERTAIN FINES DUE TO THE TOWN OF ELSMERE VOLUNTARY ASSESSMENT CENTER

WHEREAS, The Mayor and Council of the Town of Elsmere have created a Voluntary Assessment Center (VAC) for the Town of Elsmere; and

WHEREAS, the creation of the Voluntary Assessment Center (VAC) allows individuals to make payments of their fines, fees and costs relating to violations issued under the jurisdiction of the Voluntary Assessment Center (VAC) directly to the Town of Elsmere; and

WHEREAS, some of these fines, fees or costs may exceed amounts individuals are able to pay in a single payment; and

WHEREAS, the Mayor and Council wish to allow individuals to enroll in payment plans for fines, fees or costs due which exceed certain thresholds.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE, AS FOLLOWS:

1. Effective immediately Chapter 98 of the Code of the Town of Elsmere shall be amended to include a new section 98-9 be inserted into the code to read as follows:

§98-9. Payments due to the Voluntary Assessment Center

All fines, fees and costs issued under the jurisdiction of the Voluntary Assessment Center shall be made within 30 days of the date of issuance. Any individual wishing to make payments towards fines, fees or costs owed may request a payment plan under certain circumstances.

- A. Fines, fees and costs which total less than \$25.00 must be made in a single payment within 30 days of the issuance date.
- B. Fines, fees and costs which total more than \$25.01 but less than \$50.00 may be made in two equal monthly payments. The first payment must be made within 30 days of the issuance date, the second payment must be made within 60 days of the issuance date.
- C. Fines, fees and costs which total more than \$50.01 but less than \$75.00 may be made in three equal monthly payments. The first payment must be made within 30

days of the issuance date, the second payment must be made within 60 days of the issuance date, and the final payment must be made within 90 days of the issuance date.

- D. Fines, fees and costs which total more than \$75.01 but less than \$100.00 may be made in four equal monthly payments. The first payment must be made within 30 days of the issuance date, the second payment must be made within 60 days of the issuance date, the third payment must be made within 90 days of the issuance date, and the final payment must be made within 120 days of the issuance date.
- E. Fines, fees and costs which total more than \$100.01 may request a payment plan which extends more than 120 days from the date of issuance.
 - a. Requests for a payment plan under these circumstances shall be made in writing to the Voluntary Assessment Center located in the Town Hall.
 - b. The Town Manager or his/her designee shall have the authority to approve extended payment plans under this section.
 - c. These plans will be approved on a case-by-case basis and at no time shall any payment plan agreement exceed a 12-month period.
 - d. Payments must be made in monthly increments with the first payment due within 30 days of the issuance date. Each subsequent payment shall be due within the agreed upon term of the agreement and a payment must be made during each 30-day increment from the due date of the first payment for the duration of the agreement.

First and Second Reading
February 10, 2022

Third and Final Reading
March 10, 2022

Eric Thompson, Mayor

Sally Jensen, Secretary

Approved as to form:

Town Solicitor

ORDINANCE 664

SYNOPSIS

This Ordinance allows individuals who owe fines, fees and costs due to the Voluntary Assessment Center to enter into payment agreements for amounts which exceed certain thresholds.

FISCAL IMPACT

This Ordinance is anticipated to have little or no Fiscal Impact. Any fines, fees or costs owed will be received, they will simply be received via multiple payments, in lieu of a single payment.