

ORDINANCE NO. 2023-16

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF CREDIT CARDS TO PAY DEBTS TO THE CITY, ADOPTING RELATED RULES AND REGULATIONS, AND APPROVING AN AGREEMENT WITH A COMPANY TO FACILITATE THE ACCEPTANCE OF CREDIT CARD PAYMENTS.

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WHEREAS, pursuant to Section 11-103-1 of the *Code of Alabama* (1975), a municipality may accept credit card payments as long as the municipality promulgates rules and regulations consisting of specific procedures for the acceptance of credit cards;

WHEREAS, in Ordinance 2023-08, the City Council of the City of Pinson, Alabama (the "City Council") authorized the acceptance of credit card payments and adopted the "City of Pinson, Alabama, Credit Card Acceptance Rules and Regulations" (the "Rules") as the official credit card acceptance policy of the City of Pinson, Alabama (the "City");

WHEREAS, the Rules authorize the City to charge a set service/convenience fee per credit card transaction;

WHEREAS, the City is retaining the services of a new credit card processor who charges a different rate than the City has established; and

WHEREAS, the City desires to amend the Rules to allow for changes in the service/convenience fees amounts;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINSON, ALABAMA, while in regular session on Thursday, September 7, 2023, at 7:00 p.m., as follows:

1. Part III, Section D of the City of Pinson, Alabama, Credit Card Acceptance Rules and Regulations is hereby amended to read as follows:

**Section D. Service/Convenience Fee.**

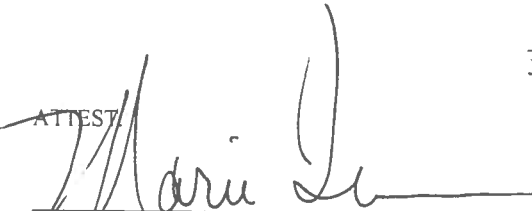
The City shall impose the assessment of a service/convenience fee per transaction from the person paying by credit card. The amount of the service/convenience fee may be adjusted from time to time by the City Clerk/Treasurer to an amount equal to the transaction fee charged by the credit card processor to the City. At no time, shall the service/convenience fee exceed the amount of the transaction fee charged by the credit card processor. The payment of the service/convenience fee shall not be refundable.

2. The provisions of this Ordinance are hereby declared to be severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held to be unconstitutional or void, the remainder shall continue in full force and effect.

3. This Ordinance shall become effective upon publication as required by law.

ADOPTED this the 7<sup>th</sup> day of September, 2023.

  
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JOE COCHRAN, MAYOR

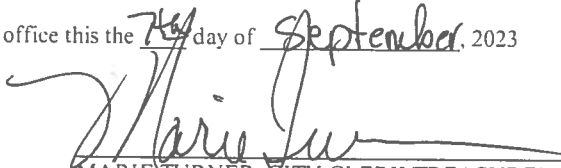
ATTEST  
  
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MARIE TURNER, CITY CLERK/TREASURER

**CERTIFICATION OF CITY CLERK/TREASURER**

STATE OF ALABAMA    )  
JEFFERSON COUNTY    )

I, Marie Turner, as City Clerk/Treasurer of the City of Pinson, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Pinson, Alabama, on the 7<sup>th</sup> day of September, 2023.

Witness my hand and seal of office this the 7<sup>th</sup> day of September, 2023

  
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MARIE TURNER, CITY CLERK/TREASURER