

CITY OF SEGUIN

ORDINANCE NO.:

STATE OF TEXAS

AN ORDINANCE OF THE SEGUIN CITY COUNCIL AMENDING THE SEGUIN CODE OF ORDINANCES, CHAPTER 1, GENERAL PROVISIONS, AND APENDIX C, FEE SCHEDULE, TO ESTABLISH A TRANSACTION FEE FOR THE USE OF CREDIT AND DEBIT CARDS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES

WHEREAS, in the modern economy most transactions are now made by credit or debit card; and

WHEREAS, each time the city takes payment by credit card a percentage of that payment is withheld by the bank's merchant services as a processing fee; and

WHEREAS, the amount of processing fees paid by the city is quite large and is increasing; and

WHEREAS, in order to recoup some of the fees city staff recommends the adoption of a transaction fee that will be applied to all credit and debit card charges.

NOW THEREFORE BE IT ORDAINED by the City Council of Seguin, Texas:

SECTION ONE: The Seguin Code of Ordinances, Chapter 1, General Provisions, is amended by the creation of a new section 1-17:

Sec. 1-17. Credit and Debit Card Transaction Fee.

A transaction fee shall be added to all payments made to the City using a credit or debit card. The amount of the transaction fee shall be set forth in Appendix C, Fee Schedule.

SECTION TWO: The Seguin Code of Ordinances, Appendix C, Fees, is amended by the creation of the following:

Chapter 1. General Provisions

(a) Credit and Debit Card Transaction Fee.....\$4.00 or 2%, per transaction, whichever is greater

SECTION THREE. The Seguin Code of Ordinances, Appendix C, Fees, Chapter 2, Administration is amended only as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

~~(c) Credit card fees per transaction~~ ~~6.00~~

SECTION FOUR. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION FIVE. All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION SIX. City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances.

SECTION SEVEN. This ordinance shall be effective upon ten (10) days following passage on second reading and published in a newspaper of general circulation.

PASSED AND APPROVED on first reading on the 17th day of March, 2015.

PASSED, APPROVED AND ADOPTED on second reading on the 23rd day of March, 2015.

DON KEIL
Mayor

ATTEST:

Thalia Stautzenberger
City Secretary