

ORDINANCE NO. 443

AN ORDINANCE OF THE CITY OF LYTLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF CREDIT CARDS AS PAYMENT FOR FEES, FINES, COURT COSTS, OR OTHER CHARGES ON BEHALF OF THE CITY; PROVIDING FOR THE COLLECTION OF A REIMBURSEMENT FEE AND SERVICE CHARGE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS: The CITY OF LYTLE is a duly incorporated Type A General Law city under the general laws of the State of Texas; and,

WHEREAS: Texas Local Government Code, Chapter 132 gives the governing body of a municipality the authority to authorize a municipal official to accept credit cards for the payment of fees, fines, court costs, and other charges; and,

WHEREAS: Texas Local Government Code, Chapter 132 authorizes a municipal official to collect a reimbursement fee for processing the collection of fees, fines, court costs, and other charges by credit card; and,

WHEREAS: Texas Local Government Code Section 51.001 authorizes the governing body of any municipality to adopt, publish, amend, or repeal an ordinance, rule or police regulation that is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LYTLE, TEXAS:

Section 1. Credit Card Payment. Pursuant to Texas Local Government Code, Chapter 132, the City Secretary of the City of Lytle, Texas or her designee, is authorized to accept payment by credit card for fees, fines, court costs, or other charges and to collect a reimbursement fee for processing the payment by credit card.

Section 2. Reimbursement Fee. Pursuant to Chapter 132, the City Secretary of the City of Lytle, or her designee, is hereby authorized and directed to assess a reimbursement fee of three percent (3%) of the amount of the fee, fine, court cost, or other charge being paid by the use of a credit card, as an amount reasonably necessary and related to the expense incurred by the City, as authorized by Section 132.003(b) of Chapter 132.

Section 3. Service Charge. Pursuant to Chapter 132, if for any reason a payment by credit card is not honored by the credit card company or financial institution on which the funds are drawn, the City Secretary, or her designee, shall collect a service charge from the person who owes the fee, fine, court cost, or other charge to the City. The service charge is in addition to the original fee, fine, court cost, or other charge and is for the collection of that original amount. The amount

of the service charge shall be the same amount as the fee charged for the collection of a check drawn on an account with insufficient funds.

Section 4. Repeal. Any provision contained in the City of Lytle's Code of Ordinances that is in conflict with the terms of this Ordinance is hereby repealed.

Section 5. Code of Ordinances. It is the intention of the City Council of the City of Lytle that this ordinance shall become a part of the Code of Ordinances of the City of Lytle and may be renumbered and codified therein accordingly.

Section 6. Effective Date. This ordinance shall take effect immediately upon its passage, approval, and official publication as provided by law.

Section 7. Severability. If any section, provision, subdivision, clause, or part of this ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this ordinance as a whole or any other part of provision contained herein.

PASSED, APPROVED AND ADOPTED at the regular called meeting held on the 14<sup>th</sup> day of December, 2020.



RUBEN GONZALEZ, MAYOR

ATTEST:



JOSIE CAMPA, CITY SECRETARY

