

ORDINANCE NO. 13-844

WHEREAS, Sections 11-103-1 *et seq.*, 1975 Alabama Code, allows a municipal office, department, agency, board or commission to accept credit card payments for municipal services if authorized by the municipal governing body;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that the Code of Ordinances of the City of Huntsville is amended by adding a new section, designated as Section 2-158, as follows:

"Sec. 2-158 Payment by credit card.

(a) Any office, department, agency, board or commission of the city is authorized to accept payment by credit card, charge card and debit cards issued by any bank, foreign lender, domestic lender or credit card bank as defined in the Alabama Credit Card Act, Section 5-20-2 through 5-20-16, 1975 Alabama Code. The payment may be for, but is not limited to, taxes, license and registration fees, court fines, costs and penalties, building permits, filing fees, assessments against property, parks and recreation fees, parking fees, rental expenses, event admissions and garbage collection fees.

(b) A service fee will be added, at the discretion of the city, to the payment in an amount not to exceed the transaction fee charged by the credit card issuer or processor. Payment of the service fee is not refundable. The service fee may be added and collected directly by the city, or added and collected by the city's processor.

(c) With the approval of the city council the mayor is authorized to enter into appropriate agreements with one or more credit card issuers or other appropriate parties as needed to facilitate the acceptance of credit card payment. Each agreement must provide that it may be cancelled without penalty at any time by the city upon reasonable notice. No agreement shall exceed three years in term.

(d) No person making payment by credit card shall be relieved of liability for the face amount of the payment except to the extent that the city realizes full and final payment of the underlying obligation in cash or its equivalent. If full and final payment is not made by the credit card issuer or other guarantor of payment in the credit card transaction, the underlying obligation shall survive and the city shall retain all remedies for enforcement which would have applied if the credit card transaction had not occurred.

(e) A city employee who accepts a credit card payment in accordance with this section and any applicable policy, rule or

regulation of the city shall not thereby incur any personal liability for the final collection of such payments.

(f) The clerk-treasurer is authorized to establish policies, rules and regulations governing the acceptance of payment for municipal services by credit card and to disseminate them to all employees."

ADOPTED this the _____ day of _____, 2013.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the _____ day of _____, 2013.

Mayor of the City of
Huntsville, Alabama