

ORDINANCE NO. 23-01

AN ORDINANCE AMENDING SECTION 3.04.050 OF THE MURRAY CITY MUNICIPAL CODE REGARDING ELECTRONIC PAYMENT FEES

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1.* Purpose. The purpose of this ordinance is to amend section 3.04.050 of the Murray City Municipal Code relating to electronic payment fees.

*Section 2.* Amendment to section 3.04.050 of the Murray City Municipal Code. Section 3.04.050 of the Murray City Municipal Code shall be amended to read as follows:

**3.04.050: ACCEPTED PAYMENTS; SERVICE FEE FOR RETURNED CHECKS AND DISHONORED CREDIT CHARGES:**

A. The City, in its sole discretion, may accept any form of legal payment for any amounts due to the City.

B. Electronic Payment Fees.

1. As used in this section:

"Electronic payment" means the payment of money to the City by electronic means, including by means of a credit card, charge card, debit card, prepaid or stored value card or similar device, or automatic clearinghouse transaction.

"Electronic payment fee" means an amount of money to defray the discount fee, processing fee, or other fee charged by a credit card company or processing agent to process an electronic payment.

"Processing agent" means a bank, transaction clearinghouse, or other third party that charges a fee to process an electronic payment.

2. The City may charge an electronic payment fee to defray the discount fee, processing fee, or other fee charged by a credit card company or processing agent to process an electronic payment.

3. Electronic payment fees shall be established by the Mayor and shall be itemized separately on the invoice, charge slip, or receipt, and shall be disclosed to the payer at the time the transaction occurs.

4. A payer making an electronic payment must pay the electronic payment fee established by the Mayor.

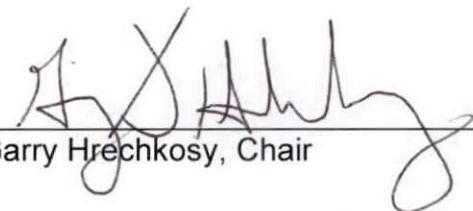
C. The City may charge a service fee against the drawer, maker or issuer of any method of payment in favor of the City if the payment is dishonored upon first presentment by the bank or institution upon which it is drawn. The service fee for dishonored checks, or debit or credit cards, shall equal twenty dollars (\$20.00) or the service fee identified in Utah Code section 7-15-1(2)(b), or its successor, whichever is greater. Service fees may be added to the amount owing to the City, as represented by the dishonored instrument. The City may treat the bill or account sought to be paid by the dishonored instrument as unpaid until both the original billing and the service fee penalty amount have been received in cash or equivalent secure method of payment as may be required by the City. The assessment and collection of the service fee shall not preclude the initiation of appropriate civil or criminal proceedings against the issuer or maker of the dishonored instrument. (Ord. 17-17)

*Section 3. Effective date. This Ordinance shall take effect upon first publication.*

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 10<sup>th</sup> day of January 2023.



MURRAY CITY MUNICIPAL COUNCIL



Garry Hrechkosy, Chair

ATTEST:



Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this 12<sup>th</sup> day of January, 2023.



Brett A. Hales, Mayor

ATTEST:



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Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the 21<sup>st</sup> day of January, 2023.



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Brooke Smith, City Recorder