

CITY OF GENOA  
DEKALB COUNTY, ILLINOIS

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ORDINANCE NO. 2023- 04

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ADOPTED BY  
THE MAYOR AND  
CITY COUNCIL  
OF THE  
CITY OF GENOA

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AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF CREDIT CARD  
PAYMENTS FOR CERTAIN MUNIICIPAL OBLIGATIONS

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Adopted April 26, 2023, by the Mayor and City Council of the City of Genoa  
DeKalb County, Illinois, and approved and published in pamphlet form  
This 26<sup>th</sup> day of April 2023.

CITY OF GENOA

ORDINANCE NO. 2023- 04

*An Ordinance Authorizing the Acceptance of Credit Card Payments  
for Certain Municipal Obligations*

WHEREAS, the City of Genoa, DeKalb County, Illinois (“City”) is an Illinois municipal corporation organized and operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the Illinois Local Government Acceptance of Credit Cards Act (50 ILCS 345/1 *et seq.*) authorizes units of local government to accept credit cards for the payment of fines, fees, charges, taxes or costs owing to or collected by or on behalf of a unit of local government; and

WHEREAS, Section 50 ILCS 345/20 of the Local Government Acceptance of Credit Cards Act provides no decision to accept credit card payments shall be made until the City has determined, following a public hearing held not sooner than ten (10) days nor later than thirty (30) days following Public Notice of the hearing, that the acceptance of credit card payments for types of authorized transactions specified in the Public Notice is in the best interest of the citizens and governmental administration of the City and the taxpayers thereof; and

WHEREAS, on April 26, 2023, at the hour of 7 p.m., a Public Hearing was held pursuant to a Public Notice as required by 50 ILCS 345/20(a);

BE IT ORDAINED by the Mayor and City Council of the City of Genoa, DeKalb county, Illinois, as follows:

SECTION 1: The Mayor and City Council find that acceptance of credit card payments for the payment of any fine, fee, charge, tax or cost imposed by, owing to, or collected by or on behalf of the City, as provided in the Local Government Acceptance of Credit Card Act and specified in the Public Notice as set forth above, is in the best interests of the City and its citizens.

SECTION 2: The Mayor and City Council elect to accept credit card payments for any fine, fee, charge, tax or cost imposed by, owing to, or collected by or on behalf of the City. The term “credit card” shall include an instrument or device, whether known as a credit card, bank card, charge card, debit card, automated teller machine card, secured credit card, smart card, electronic purse, prepaid card, affinity card, or by any other name, issued with or without fee by an issuer for the use of the holder to obtain credit, money, goods, services, or anything else of value.

SECTION 3: The Mayor and City Council hereby authorizes the City Treasurer to enter into agreements with one or more financial institutions or other service providers to facilitate the

acceptance of processing of credit card payments. Said agreements shall identify the specific services to be provided; the itemized fees charged; and the means by which each such fee shall be paid.

SECTION 4: The Mayor and City Council have determined that any reduction in revenue resulting from any processing or discounting fee charged is nevertheless in the best interest of the City considering the improved governmental cash flow, the reduction in government overhead, improved governmental financial security and the benefit of public convenience.

SECTION 5: The City Treasurer is authorized to collect, in addition to the amount owed to the City, a fee to wholly or partly offset the amount of any processing fee incurred by the City from the credit card financial institution or service provider, provided that no such fee shall be imposed unless allowed under the operating rules and regulations of the credit card involved. Said fees shall also be subject to the following limitations set forth in the Local Governmental Acceptance of Credit Cards Act:

- A. No fee, or accumulation of fees, shall exceed the lesser of Twenty Dollars (\$20.00) of Five Percent (5%) of the principal amount charged for any license, sticker, or permit, or with respect to any similar transaction.
- B. No fee, or accumulation of fees, shall exceed the lesser of Five Dollars (\$5.00) or Five Percent (5%) for the payment of any fine.
- C. No fee, or accumulation of fees, shall exceed the lesser of Forty Dollars (\$40.00) or Three Percent (3%) for the payment of any real estate or other tax.
- D. Notwithstanding the provisions of sections A through C herein, a minimum fee of One Dollar (\$1.00) may be imposed with respect to any transaction.
- E. Notwithstanding the provisions of sections A through C herein, a fee in excess of the limits set forth in these sections may be imposed by the City on a transaction if (i) the fee is no greater than a fee charged by the financial institution or service provider accepting and processing credit card payments on behalf of the City; (ii) the financial institution or service provider was selected by a competitive bid; and (iii) the City fully discloses the amount of the fee to the cardholder.

SECTION 6: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund	✓			
Walter Stage	✓			
Courtney Winter	✓			
Chuck Cravatta	✓			
Brent Holcomb	✓			
Gregg Hughes	✓			
Mayor Jonathon Brust				

APPROVED:



*[Signature]*  
 City Mayor Jonathon Brust

(SEAL)  
 ATTEST: *[Signature]*  
 City Clerk Kendra Braheny

Passed: 4-26-2023

Approved: 4-26-2023

Published: 4-26-2023

## CERTIFICATION

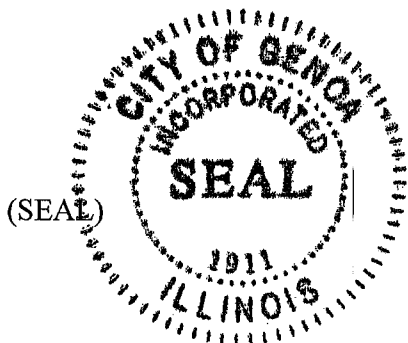
I, KENDRA BRAHENY, do hereby certify that I am the duly appointed, acting and qualified Clerk of the City of Genoa, DeKalb county, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and City Council of said City.

I do hereby further certify that at a regular meeting of the Mayor and City Council of the City of Genoa, held on the 26<sup>th</sup> day of April, 2023, the foregoing Ordinance *Authorizing the Acceptance of Credit Card Payments for Certain Municipal Obligations*, was duly passed by the Mayor and City Council of the City of Genoa.

The pamphlet form of Ordinance No. ~~2023-04~~ including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, 333 East First Street, Genoa, IL 60135, commencing on the 26<sup>th</sup> day of April, 2023, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

IN WITNESS WHEREOF, I have affixed my name as Clerk and caused the seal of said City to be affixed hereto this 26<sup>th</sup> day of April, 2023.



Kendra Braheny  
Kendra Braheny, City Clerk  
City of Genoa,  
DeKalb county, Illinois