

ORDINANCE NO. 441

AN ORDINANCE OF THE TOWN OF WILSON CREEK RELATING TO CREDIT/DEBIT CARD AND/OR ELECTRONIC PAYMENTS, AUTHORIZING CITY ADMINISTRATION TO DEVELOP AND ADMINISTER INTERNAL PROCEDURES COVERING THE ACCEPTANCE OF CREDIT/DEBIT CARD PAYMENT SOLUTIONS PURSUANT TO RCW 39.58.750, AND ADOPTING A NEW SECTION 40 OF CHAPTER 3 OF THE TOWN OF WILSON CREEK MUNICIPAL CODE.

WHEREAS, local governments use a wide variety of banking services for the deposit, disbursement, and safekeeping of public monies; and

WHEREAS, the Town Council acknowledges that changes in technology, cash management practices, and banking industry structure necessitates periodic evaluation of treasury functions in order to serve our customers in the most efficient way possible; and

WHEREAS, accepting credit/debit card and/or electronic payments for such payments as utility bills, would be consistent with the practices of many government agencies; and

WHEREAS, U.S. Bank is currently the holder of the Town's banking services contract, thus able to best understand the Town's daily treasury needs and provide service improvement solutions;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF WILSON CREEK, WASHINGTON, AS FOLLOWS:

Section 1: Authorization is hereby granted for the mayor and clerk/treasurer to develop and administer internal procedures covering the acceptance of credit/debit card and/or electronic payments and to administer said payment solutions through the current banking services contract holder.

Section 2: Section/Chapter 3.40 of the Town of Wilson Creek Municipal Code is hereby created to read as follows:

3.40.010 Authority to contract.

The mayor and/or clerk/treasurer is/are hereby authorized to and on behalf of the Town of Wilson Creek to execute an agreement or agreements with one or more banks or third party for the use of credit/debit card and/or other electronic payment by the public of fees, charges and fines imposed by the Town of Wilson Creek. The agreement shall provide for the acceptance of Visa and/or Mastercard credit/debit cards; may provide for acceptance of other credit/debit cards; may provide for acceptance of ACH payments; may provide for payment by the Town of fees in accordance with the bank's or third party's schedule of fees for accounts of similar volume subject to change from time to time; and may provide for use of equipment provided by the bank or third party. The Town reserves the authority to execute agreements with other companies offering credit/debit and/or electronic payment services for the payment of Town imposed fines and fees.

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Section 3: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

BE IT FURTHER RESOLVED, any actions of the Town of Wilson Creek or staff prior to the date hereof and consistent with the terms of this Ordinance are ratified and confirmed.

ADOPTED by an affirmative majority vote of the Town of Wilson Creek on the 14th day of July, 2022.

TOWN OF WILSON CREEK

[Mayor]

CLERK'S ATTESTATION/CERTIFICATE

I, the undersigned, Clerk of the Town of Wilson Creek, a town organized under the laws of the state of Washington, do hereby attest and certify that the foregoing ordinance was duly approved and adopted by the Town Council of the Town of Wilson Creek at a meeting of the Town Council duly called and held on the 14th day of July, 2022, at which meeting a quorum was present; and that said ordinance, as set out above, will appear in the minutes of said meeting in the Town's Book of Ordinances maintained by the Town Clerk.

DATED this 14th day of July, 2022.

[Clerk]