

ORDINANCE NO. 2017-21

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING APPENDIX A, ARTICLE A2.000 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS; ESTABLISHING FEES FOR CREDIT CARD AND BANK DRAFT TRANSACTIONS ACCEPTED BY THE CITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Ovilla, Texas, has approved acceptance of credit card and bank draft transactions for payment of fees, fines, court costs, and other charges as allowed under the Texas Local Government Code Title 4, Chapter 132; and

WHEREAS, the City Council of Ovilla has entered into agreements with certain vendors to provide for the collection of fees, fines, court costs, other charges for collection of payments through the internet; and

WHEREAS, the vendor agreements the City Council of Ovilla has entered into establishes a fee of \$1.00 per transaction be charged for payments by electronic means; and

WHEREAS, the City Council of Ovilla finds the electronic payment fee of \$1.00 to be reasonable and designed to recover only direct costs incurred in providing the service for payments by electronic means; and

WHEREAS, the City Council finds and determines it is in the best interest of the citizens of the City of Ovilla to establish processing fees for accepting payments by credit card and other electronic means.

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

SECTION 1. AMENDMENT OF APPENDIX A, ARTICLE A2.000 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS

Appendix A, Article A2.000 of the Code of Ordinances of the City of Ovilla, Texas, is hereby amended to read as follows:

Processing Fee: Credit Card and Payment by Electronic Means

Credit Card Processing Fee: 3% of the fee, fine, court cost, or other charge.

Payment by Electronic Means: \$1.00 per transaction

SECTION 2. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

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SECTION 3. SEVERANCE CLAUSE

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

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered, if necessary, to conform to the uniform numbering system of the Code.

SECTION 5. EFFECTIVE DATE

Because of the nature of the interests and safeguards sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED and APPROVED by the City Council of Ovilla, Texas, on this the 11th day of December 2017.



Richard Dormier, Mayor

ATTEST:


Pamela Woodall, City Secretary

APPROVED AS TO FORM:


Ron G. MacFarlane, Jr., City Attorney