



CITY OF **HARVEY** ILLINOIS

Mayor Christopher J. Clark

CITY OF HARVEY PUBLIC HEARING
Monday, January 27, 2025 – Time 6:00 P.M.

AGENDA

1. Call Meeting to Order
2. Roll Call of Council Members
3. Public Comment
4. Mayor Christopher Clark
 - a. Ordinance No. _____: An ordinance regarding the acceptance of credit card payments.
5. Questions and concerns by the Alderpersons
6. Adjournment

ORDINANCE NO. _____

AN ORDINANCE REGARDING THE ACCEPTANCE OF CREDIT CARD PAYMENTS

ADOPTED BY THE
CITY COUNCIL
CITY OF HARVEY

THIS _____ DAY OF _____, 2024

**CITY OF HARVEY
COOK COUNTY, ILLINOIS**

Published in pamphlet form by authority of the City Council of the City of Harvey, Cook County, Illinois, this _____ day of _____, 2024.

**CITY OF HARVEY
COOK COUNTY, ILLINOIS**

ORDINANCE NO. _____

BE IT RESOLVED by the Mayor and City Council of the City of Harvey, Cook County, Illinois, THAT:

AN ORDINANCE REGARDING THE ACCEPTANCE OF CREDIT CARD PAYMENTS

shall be, and is hereby, adopted in the exercise of its home rule powers, as follows:

Section 1. BACKGROUND

The City of Harvey (“*City*”) is an Illinois home rule municipal corporation organized and operating pursuant to the Illinois Constitution of 1970.

The City provides residents, visitors, and businesses with options to utilize a variety of payment methods to satisfy fines, fees, charges, taxes, or other costs owing to or collected by the City. The Local Government Acceptance of Credit Cards Act (50 ILCS 345/1, *et seq.*) (the “*Act*”) authorizes the City to accept credit cards for the payment of an indebtedness owing to or collected by the City. The City has the authority, pursuant to the Act, to impose a convenience fee or surcharge upon a cardholder making payment by credit card in an amount to wholly or partially offset, but not to exceed, the amount of any processing fee incurred by the City, up to the maximum of such charges authorized by the Act.

A public hearing concerning the proposed acceptance of credit card payments for municipal services, water, sewer and refuse collection charges, permit application fees, license fees, ordinance violation fines, special assessments and taxes, and any other fees or indebtedness of any kind or nature which may come due to the City was held by the City Council on the _____ day of _____, 2024, which date was not sooner than ten (10) days nor later than thirty (30) days from the date that the notice of public hearing was published on _____, 2024, in the _____ [specify newspaper], a copy of which is attached hereto as *Exhibit A*.

The City desires to confirm its acceptance of credit cards for the payment of fees, fines, charges, and all other obligations due the City and the Corporate Authorities find it to be in the best interests of the health, safety, and welfare of the citizens of the City and for the benefit of governmental administration to amend the Harvey Code of Ordinances to provide for payment of obligations due the City via credit cards.

Section 2. AMENDMENTS

A. The Code of Ordinances of the City of Harvey is hereby amended with the addition of a new Article V, (“Acceptance of Credit Cards,”) to Chapter 2-16, (“Finance Department,”) of Title 2 (“City Government and Administration”), as set forth below:

Chapter 2-16
FINANCE DEPARTMENT

Article V. Acceptance of Credit Cards

- 2-16-240 Acceptance of Credit Cards.
- 2-16-250 Credit Card Convenience Fees.
- 2-16-260 Eligible Payments.
- 2-16-270 Relief From Underlying Indebtedness.
- 2-16-280 Other Acceptable Forms of Payment.

Article V. Acceptance of Credit Cards

- 2-16-240 Acceptance of Credit Cards.

The City accepts credit card payments for the forms of indebtedness described in this Article. The term “credit card” shall include an instrument or device, used by the holder of the card to obtain credit, money, goods, or services, or anything of value. By way of illustration and not of limitation, “credit card” shall include major credit cards, bank cards, charge cards, debit cards, secured credit cards, prepaid cards, or smart cards.

- 2-16-250 Credit Card Convenience Fees.

- A. The City is authorized to collect, in addition to the amount owed to the City, a convenience 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. The amount of the fee shall not exceed any discount or processing fee incurred by the City.
- B. Said fees will also be assessed, subject to the limitations set forth in the Local Government Acceptance of Credit Cards Act, as set forth in Chapter 3-01, Fees, Fines, Insurance, and Guarantee Requirements.

- 2-16-260 Eligible Payments.

The City shall accept payment by credit card for any and all forms of indebtedness owed to the City. By way of illustration and not of limitation:

<u>Form of Indebtedness</u>
Water and sewer charges
Refuse collection

Permit application fees
License fees
Special assessments and taxes
Ordinance violations fines
Administrative adjudication hearing costs

2-16-270 Relief From Underling Indebtedness

A person who makes a payment by credit card to the City shall not be relieved from liability for the underlying obligation except to the extent that the City realizes final payment of the underlying obligation in cash or the equivalent. If final payment is not made by the credit card issuer or other guarantor of payment in the credit card transactions, then the underlying obligation shall survive and the City shall retain all remedies for enforcement that would have applied if the credit card transaction had not occurred.

2-16-280 Other Acceptable Forms of Payment

In addition to payment by credit card, the City will accept payment by cash, check or immediately available funds for the payment of fees, fines, charges, and all other obligations due to the City. The City reserves the right to require payment by immediately available funds or cash in its sole discretion.

B. Section 3-01-01, "Fees," of Chapter 3-01, "Fees, Fines, Insurance, and Guarantee Requirements," of Title 3, "Revenue and Taxes," of the City of Harvey Code of Ordinances is hereby amended as follows (additions in **bold and underline** and deletions in ~~strike through~~):

Section 3-01-01 Fees

Code Section	Description	Amounts
TITLE 1	General Provisions	
1-04-125	Collection Fee	35% of unpaid amount

2-16-070(B)	Payment to the City—Records — Bad Check Fees	\$37.50
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<u>2-16-250(B)</u>	<u>Credit Card Convenience Fees</u>	<u>Credit card convenience fees are hereby imposed for the following payments to the City:</u> <u>(1) Fees for the payment of any charge will be the amount of any discount or processing fee incurred by the City from the financial institution or service provider accepting and processing credit card payments on behalf of the City.</u>
2-28-280(B)	Photocopies of Docket of Scheduled Code Hearing Proceedings Fee	Reasonable fee

Section 3. AUTHORIZATION OF PROCESSING AGREEMENTS

The City Administrator is authorized to into agreements with one or more financial institutions or other service providers to facilitate the acceptance and processing of credit card payments. Such agreements shall identify the specific services to be provided, the itemized fees, if any, to be charged, and the means to pay such fees.

Section 4. CONFLICT & SEVERABILITY

A. In the event a conflict exists between the terms of this Ordinance and any other ordinance or resolution of the City, the terms of this Ordinance shall govern.

B. If any section, paragraph, clause, phrase, provision or part of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause, phrase, provision or part shall not affect the validity of any of the remaining provisions of this Ordinance.

Section 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Passed by the City Council of the City of Harvey, Cook County, this ____ day of _____, 2024, by the following roll-call vote:

	YES	NO	ABSENT	PRESENT
Drewenski				
Chapman				
Smith				
Key				
Randle El				
Rogers				
Mayor Clark				

Approved by the City of Harvey this ____ day of _____, 2024.

Christopher J. Clark, Mayor

ATTEST:

Rosa M. Arambula, City Clerk
City of Harvey, Cook County, Illinois

EXHIBIT A

PUBLIC HEARING NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the City of Harvey City Council will be conducting a public hearing at 7:00 PM on _____, 2024 at Harvey City Hall, 15320 Broadway Ave, Harvey, IL 60426, to consider accepting credit card payments for the payment of municipal services, water, sewer and refuse collection charges, permit application fees, license fees, ordinance violation fines, special assessments and taxes and any other fees or indebtedness of any kind or nature which may come due to the City of Harvey. The City Council will also consider the adoption of reasonable regulations governing the imposition of processing or convenience fees. A copy of a proposed credit card authorization ordinance is available for inspection at City Hall during normal business hours. All interested parties are invited to attend the hearing and be heard. All inquiries regarding this public hearing can be directed to City Administrator Corean Davis at (708) 210-5300.

Respectfully Submitted,

Rosa M. Arambula, City Clerk
City of Harvey, Cook County, Illinois

Publication Date: 10 – 30 days prior to hearing