

ORDINANCE NO. 2018-12
INTRODUCED BY: MS. DEBERNARDO

4087

**AN ORDINANCE
AUTHORIZING THE VILLAGE POLICE DEPARTMENT TO
CHARGE A TRANSACTION FEE WHEN PARKING
VIOLATORS PAY THEIR CITATION USING THE
VILLAGE'S ONLINE PAYMENT SYSTEM WITH CREDIT
OR DEBIT CARDS AND DECLARING AN EMERGENCY.**

WHEREAS, the Village adopted Ordinance No. 2017-48 authorizing the Mayor to enter into a Contract with EDC Corporation for a Parking Citation and Enforcement Management System; and

WHEREAS, the Mayor did enter into an Agreement with EDC Corporation to utilize the AIMS Parking Citation and Software Management System("System") to allow violators to pay their citation online using credit or debit cards and the Village Police Department has now activated the System and violators are paying their citation fines and costs online, using credit or debit cards, which cost is currently being allocated to the Village including transaction fees assessed to the Village by the credit or debit card companies and the Village is experiencing administrative fees all of which cost in excess of Three Dollars (\$3.00) per transaction; and

WHEREAS, the Chief Administrative Officer and Finance Director have requested authority from Village Council to impose a processing fee not to exceed Three Dollar (\$3.00)per transaction to cover some or most of the cost to the Village of accepting credit or debit card payments using the System.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That the Village Police Department and its personnel are hereby authorized, in implementing and utilizing the System to impose a processing fee, not to exceed Three Dollar (\$3.00) to cover some or all of the Village's credit card transaction cost and administrative costs for administering the online citation payment System which violators have the option to utilize. Until further legislative action is taken by the Council, the Police Department shall charge a sum not to exceed Three Dollars (\$3.00) per transaction, as a transaction fee, whenever a parking citation fine is being paid using the System with a credit or debit card. The actual fee shall be established by the Finance Director, after (i) consultation with the Chief Administrative Officer, and (ii) reviewing the direct and indirect

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costs attributable to processing online payment of parking fines, not to exceed Three Dollars (\$3.00) per transaction.


SECTION 2. In the event the Finance Director or Chief Administrative Officer determines that the Three Dollar (\$3.00) maximum fee should be increased, due to changes in the transaction and bank fees charged to the Village or other costs attributable to fines being paid from System availability, the Finance Director and/or Chief Administrative Officer shall request Council to consider increasing the processing fee to cover costs.

SECTION 3. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 5. That this Ordinance be and is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the habitants of the Village and for the reason that unless a fee is charged for use of the System to pay fines on line, the Village will be expending additional costs and in order to immediately defray some or most of those costs, this Ordinance should take immediate effect. Wherefore, provided it receives two-thirds (2/3) of the votes of all members elected to Council, this Ordinance shall be in full and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise it shall take effect and be in force after the earliest period allowed by law.

PASSED: February 26, 2018




Karl Maersch, Council President

Submitted to the Mayor for
his approval on this

27 day of February, 2018

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Approved by the Mayor

February 27, 2018 
Mayor William Tomko

I hereby certify that Ordinance No. 2018-12 was duly enacted on the 26 day of February, 2018, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.


Clerk of Council

Revised v.2. 2-16-18