

ORDINANCE NO. 2009-055

First Reading Passage Requested

J. Dodson

SPONSOR Mr. Pry

DATE: March 2, 2009

COMMITTEE: Rules

An Ordinance amending Section 199.02 of the Codified Ordinances of the County of Summit, entitled "Expenses," and Section 199.03 of the Codified Ordinances of the County of Summit, entitled "Convenience Fee," to allow for the use of financial transaction devices in multiple County offices, for the Fiscal Officer, Executive's Department of Community and Economic Development, Division of Building Standards and Executive's Department of Administrative Services, Division of Animal Control, and declaring an emergency.

WHEREAS, the County Fiscal Officer and County Executive desire to allow payment by financial transaction device for real estate taxes and assessments; animal control license, service and adoption fees; and building standards registration and permit fees; and

WHEREAS, pursuant to Resolution No. 2009-030, this Council authorized the County Executive to enter into an agreement with Official Payments for the use of financial transaction devices for the payment of the above items; and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the County of Summit to amend Sections 199.02 and 199.03 of the Codified Ordinances of the County of Summit to permit the County Fiscal Officer and County Executive to accept said payments by financial transaction device; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1

Section 199.02 of the Codified Ordinances of the County of Summit, entitled, "Expenses," is hereby amended as follows:

199.02 EXPENSES.

- (a) Permitted Expenses; Clerk of Courts. The Clerk of Courts is authorized to receive payments by financial transaction devices of the following expenses:
- (1) Title fees; and
 - (2) Costs related to:
 - A. Any proceeding before the County of Summit Court of Common Pleas, General Division; or
 - B. Any proceeding before the Ninth District Court of Appeals that is filed in the County of Summit.

SECTION 1 (Cont.)

- (b) Permitted Expenses; Juvenile Division. The County of Summit Court of Common Pleas, Juvenile Division, is authorized to receive payments by financial transaction devices of costs related to any proceeding before the Juvenile Division.
- (c) Permitted Expenses; Real Estate Taxes. The County of Summit Fiscal Officer is authorized to receive payments by financial transaction devices, including via the internet, of real estate taxes, assessments, delinquent fees, interest and any other related costs.
- (d) Permitted Expenses; Building Standards. The County of Summit Executive, Department of Community and Economic Development, Division of Building Standards, is authorized to receive payments by financial transaction devices of all registration, permit and other associated and related fees and costs.
- (e) Permitted Expenses; Animal Control. The County of Summit Executive, Department of Administrative Services, Division of Animal Control, is authorized to receive payments by financial transaction devices of all license, service and adoption fees, and any other associated and related fees and costs.

SECTION 2

Section 199.03 of the Codified Ordinances of the County of Summit, entitled, "Convenience Fee," is hereby amended as follows:

199.03 CONVENIENCE FEE.

- (a) Fee Established. Any person making a payment by financial transaction device shall be subject to a convenience fee of ~~3%~~ on each transaction, with a minimum charge of \$1.00, the amount of which shall be established by contract with the vendor providing the County with the financial transaction device. County Council shall approve any contract that contains said convenience fee. The terms of each agreement between the County and a financial transaction provider governing the use and acceptance of a financial transaction device shall authorize the imposition of a convenience fee.
- (b) Notice. Each program participant shall clearly post a notice in their office and if applicable, on their world wide web page, and shall notify each person making payment by a financial transaction device about the convenience fee. Each notice shall include the following:
 - (1) The total amount of the convenience fee for using a financial transaction device;
 - (2) The total amount of the convenience fee in dollars and cents for each transaction; and
 - (3) A clear statement that the convenience fee is nonrefundable.

ORDINANCE NO. 2009-055
PAGE THREE

SECTION 2

This Ordinance is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further reason to immediately permit the County Fiscal Officer and County Executive to accept said fees by financial transaction device.

SECTION 3

Provided this Ordinance receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect and be in force at the earliest time provided by law.

SECTION 4

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action,

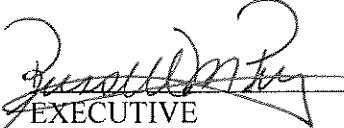
INTRODUCED March 2, 2009

ADOPTED March 2, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED March 2, 2009


EXECUTIVE

ENACTED EFFECTIVE March 2, 2009

Voice Vote: 10-0 YES: Crossland, Schmidt, Comunale, Poda, Smith
Crawford, Feeman, Rodgers, Shapiro, Kostandaras ABSENT: Prentice