

**STATE OF NEW MEXICO
MUNICIPALITY OF SILVER CITY
RESOLUTION NO. 2023-20**

**RESOLUTION ADOPTING PROCEDURES FOR THE ACCEPTANCE OF PAYMENT BY
CREDIT CARD, DEBIT CARD OR OTHER ELECTRONIC MEANS**

WHEREAS, the Governing Body in and for the municipality of Silver City, State of New Mexico, is tasked to represent and address the needs of its residents; and

WHEREAS, the passage of NMSA 1978 6-10-1.2 allows local governments to accept payment by credit card, debit card, or electronic means of any amount due under any law or program; and

WHEREAS, the citizens of Silver City have the option to pay utility bills, business license payments, building inspections, utility fees, municipal court fines and Golf Course recreation fees by credit card and debit card.

WHEREAS, the Town of Silver City will ensure compliance with PCI (Payment Card Industry) and NACHA (National Automated Clearing House Association).

NOW, THEREFORE, BE IT HEREBY RESOLVED that the following procedures and processes submitted by the Town of Silver City Finance Department will be followed:

ACCEPTANCE OF CREDIT/DEBIT CARDS PROCEDURES

- I. **ISSUING AGENCY:** TOWN OF SILVER CITY, 101 W. Broadway, Silver City, New Mexico 88061.
- II. **SCOPE:** Town of Silver City Administrative Offices, Municipal Court and Scott Park Golf Links to accept credit/debit cards for payments made to the Town.
- III. **SATUTORY AUTHORITY:** N.M.S.A 1978 6-10-1.2 allows a local governing body to accept payment by credit/debit card or electronic means of any amount due under any law or program administered by a department of the local governing body. The local governing body shall adopt procedure, subject to the approval of the Department of Finance and Administration, on the terms and conditions of accepting payments by credit/debit card or electronic transfer.
- IV. **EFFECTIVE DATE:** August 22, 2023
- V. **OBJECTIVE:** This procedure provides general guidance regarding the financial and legal requirements for acceptance of credit/debit cards.
- VI. **DEFINITIONS:**
 1. **“Convenience Fee”** A fee charged by a seller when a consumer pays with electronic payment rather than by a standard form of payment accepted by the business. Standard payments include – cash, check, or money order.
 2. **“Card Holder”** A person who owns a card, such as a cardholder of a credit card or debit card.
 3. **“Debit Card”** A card issued by a bank allowing the holder to transfer money electronically to another bank account when making a purchase.

4. **“Credit Card”** A small plastic card issued by a bank, business, etc., allowing the holder to purchase goods or services on credit.

VII. PROCESS FOR RECEIVING PAYMENTS VIA CREDIT/DEBIT CARD

A. OVER-THE-COUNTER PAYMENTS

1. A chip-card reader shall be used for each over-the-counter transaction.
2. A “convenience fee” shall be calculated after the payment amount has been determined. A receipt shall be generated reflecting the payment and convenience fee.

B. REPORTS AND FILES

1. Reports shall be generated each day in the Finance Department for daily reconciliations.

PASSED, APPROVED, AND ADOPTED on this 22nd day of August 2023.

MUNICIPAL GOVERNING BODY OF SILVER CITY, NEW MEXICO

Ken Ladner, Mayor

(Seal)

Rudy Bencomo, Councilor

Nicholas Prince, Councilor

Jose A. Ray, Jr., Councilor

Guadalupe E. Cano, Councilor

Attest:

Alfred Sedillo, Town Clerk