

**PUBLIC HEARING**  
Before the Village Board  
Village of Barrington Hills  
Re: Credit Card Acceptance  
Policy

Notice is hereby given that a Public Hearing will be held on Monday, November 20, 2017 at 6:30 p.m. by the Village Board of the Village of Barrington Hills ("Village") in the MacArthur Room of the Village Hall, 112 Algonquin Road, Barrington Hills, Illinois concerning a proposed Credit Card Acceptance Policy pursuant to 50 ILCS 345 et seq. Pursuant to the proposed Policy credit cards will be accepted by the Village in payment of

Building permit  
Re-inspection fee  
Over weight permit  
Vehicle escort fee  
Extra detail fees  
Document copy fee  
Accident report copy fee  
Raffle license  
Liquor license  
Veterinary fee  
Surplus property sales.

A copy of the proposed Credit Card Acceptance Policy is available for examination at the office of the Village Clerk at the Village Hall, 112 Algonquin Road, weekdays between 9:00 a.m. and 5:00 p.m. Also a copy of this notice and proposed Policy is available at the Village website

[www.barringtonhills-il.gov](http://www.barringtonhills-il.gov).  
All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard. Written comments on the proposed Credit Card Acceptance Policy to be made part of the record of this proceeding will be accepted in person, by fax or email in the office of the Village Clerk through 4 p.m. Monday November 20, 2017.

By: Village Clerk  
Village of Barrington Hills  
[clerk@barringtonhills-il.gov](mailto:clerk@barringtonhills-il.gov)  
Fax 847.551.3050

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## CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

# Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published November 6, 2017 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.  
DAILY HERALD NEWSPAPERS

BY *Daula Baltz*  
Authorized Agent

Control # 4486441

# CREDIT CARD POLICY

## 1-9-3: - CREDIT CARDS:

A. Definitions: For the purposes of this section, the following definitions shall apply:

AUTHORIZED OBLIGATION:	Any fee, charge or cost imposed by, owing to or collected by or on behalf of the village, such items as: building permits, re-inspection fees, over weight permits, vehicle escort fee, extra details, document copy fees, accident report copy fees, raffle licenses, liquor licenses, target shooting permits, veterinary fees, surplus property sales. The list set forth herein is for purposes of example, and is not meant to be exhaustive or exclusive.
CREDIT CARD	An instrument or device, whether known as a credit card, bankcard, charge card, debit card, authorized teller machine card, secured credit card, smart card, electronic purse, prepaid card, affinity card, issued with or without fee by an issuer for the use of the holder to obtain credit, money, goods, services or anything else of value.

B. Acceptance Of Credit Cards: Credit cards will be accepted under the following conditions:

1. The village is authorized, but not required, to accept the payment of funds for any authorized obligation by credit card.

C. Fees:

1. As set forth herein, the village may, but is not required to, impose a convenience fee or surcharge upon a cardholder making payment by credit card in an amount to wholly or partially offset, but in no event exceed, the amount of any discount or processing fee incurred by the village. Such convenience fee or surcharge may be applied only when allowed under the operating rules and regulations of the credit card involved, or as applied by the service provider, such as Illinois e-pay and Oxcart. Such fees are not remitted in any part to the village. When a cardholder elects to make a payment by credit card and a convenience fee or surcharge is imposed, the payment of the convenience fee for surcharge shall be deemed voluntary by the cardholder and shall not be refundable.

2. No fee, or accumulation of fees, that exceeds the lesser of \$20 or 5% of the principal amount charged may be imposed in connection with the issuance of any license, sticker, or permit, or with respect to any other similar transaction. No fee, or accumulation of fees, that exceeds the lesser of 5% of %5 of the transaction involved may be imposed in connection with the payment of any fine. No fee, or accumulation of fees, in excess of the lesser of \$40

or 3% of the principal amount charged may be imposed in connection with the payment of any tax.

3. Notwithstanding the provisions of paragraph 2, (a) a minimum fee of \$1 may be imposed with respect to any transaction, (b) a fee may be imposed if the (i) fee is no greater than the fee charged by the financial institution or service provider accepting and processing credit card payments on behalf of the village, (ii) the financial institution or service providing accepting and processing the credit card payments was selected by competitive bid, and(iii) the village discloses the fee to the cardholder.

- D. Relief From Underlying Obligation: A person who makes a payment by credit card to the village shall not be relieved from liability for the underlying obligation except to the extent that the village realizes final payment of the underlying obligation in cash or cash equivalency acceptable to the village. If final payment is not made by the credit card issuer or other guarantor of payment in the credit card transaction, then the underlying obligation shall survive and the village shall retain all remedies for enforcement that would have applied if the credit card transaction had not occurred. A person making payment by credit card is not liable for any discount or fee paid to a credit card issuer or other party by the village.
- E. Liability Of Village Employees: A village employee who accepts payment by credit card in accordance with this section and any applicable rules established by the village, shall not incur personal liability for the final collection of the payment.

**AN ORDINANCE ADOPTING A CREDIT CARD POLICY WHICH SHALL BE  
CODIFIED AS A TEXT AMENDMENT ADDING SECTION 1-9-3 CREDIT CARD  
POLICY TO THE VILLAGE CODE**

**WHEREAS**, the Village of Barrington Hills ("Village") is a duly organized and existing Illinois home rule municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

**WHEREAS**, the Village of Barrington Hills is authorized and empowered, under the Local Governmental Acceptance of Credit Cards Act ("Act"), 50 ILCS 345/1 *et seq.*, to accept the payment of funds to the Village for any purpose authorized by credit card; and

**WHEREAS**, for such purpose the Act requires that the local governmental entity first hold a public hearing, following proper legal notice, of its intent to allow payment by credit cards and that types of authorized obligations for which credit card payment will be allowed; and

**WHEREAS**, in compliance with the Act, the corporate authorities for the Village published notice of such public hearing, and held the requisite public hearing on November 20, 2017; and

**WHEREAS**, all required actions having been taken, it is reasonable and proper for the Village to adopt the Credit Card Policy set forth herein, which shall be codified as Section 1-9-3.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Barrington Hills, a home rule community located in Cook, Kane, Lake and McHenry Counties, Illinois, duly assembled at a regular meeting, as follows:

**SECTION ONE:** That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

**SECTION TWO:** That Title 1, Chapter 9 Municipal Revenue of the Village Municipal Code, shall be amended to add Section 1-9-3 as the Village's Credit Card Policy, which shall state as follows:

**1-9-3: - CREDIT CARDS:**

A. Definitions: For the purposes of this section, the following definitions shall apply:

<p><b>AUTHORIZED OBLIGATION:</b></p>	<p>Any fee, charge or cost imposed by, owing to or collected by or on behalf of the village, such items as: building permits, re-inspection fees, over weight permits, vehicle escort fee, extra details, document copy fees, accident report copy fees, raffle licenses, liquor licenses, target shooting permits, veterinary fees, surplus property sales. The list set forth herein is for purposes of example, and is not meant to be exhaustive or exclusive.</p>
<p><b>CREDIT</b></p>	<p>An instrument or device, whether known as a credit card, bankcard, charge card, debit</p>

CARD	card, authorized teller machine card, secured credit card, smart card, electronic purse, prepaid card, affinity card, issued with or without fee by an issuer for the use of the holder to obtain credit, money, goods, services or anything else of value.
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**B. Acceptance Of Credit Cards:** Credit cards will be accepted under the following conditions:

1. The village is authorized, but not required, to accept the payment of funds for any authorized obligation by credit card.

**C. Fees:**

1. As set forth herein, the village may, but is not required to, impose a convenience fee or surcharge upon a cardholder making payment by credit card in an amount to wholly or partially offset, but in no event exceed, the amount of any discount or processing fee incurred by the village. Such convenience fee or surcharge may be applied only when allowed under the operating rules and regulations of the credit card involved, or as applied by the service provider, such as Illinois e-pay and Oxcart. Such fees are not remitted in any part to the village. When a cardholder elects to make a payment by credit card and a convenience fee or surcharge is imposed, the payment of the convenience fee for surcharge shall be deemed voluntary by the cardholder and shall not be refundable.
2. No fee, or accumulation of fees, that exceeds the lesser of \$20 or 5% of the principal amount charged may be imposed in connection with the issuance of any license, sticker, or permit, or with respect to any other similar transaction. No fee, or accumulation of fees, that exceeds the lesser of 5% of %5 of the transaction involved may be imposed in connection with the payment of any fine. No fee, or accumulation of fees, in excess of the lesser of \$40 or 3% of the principal amount charged may be imposed in connection with the payment of any tax.
3. Notwithstanding the provisions of paragraph 2, (a) a minimum fee of \$1 may be imposed with respect to any transaction, (b) a fee may be imposed if the (i) fee is no greater than the fee charged by the financial institution or service provider accepting and processing credit card payments on behalf of the village, (ii) the financial institution or service providing accepting and processing the credit card payments was selected by competitive bid, and(iii) the village discloses the fee to the cardholder.

**D. Relief From Underlying Obligation:** A person who makes a payment by credit card to the village shall not be relieved from liability for the underlying obligation except to the extent that the village realizes final payment of the underlying obligation in cash or cash equivalency acceptable to the village. If final payment is not made by the credit card issuer or other guarantor of payment in the credit card transaction, then the underlying obligation shall

survive and the village shall retain all remedies for enforcement that would have applied if the credit card transaction had not occurred. A person making payment by credit card is not liable for any discount or fee paid to a credit card issuer or other party by the village.

- E. **Liability Of Village Employees:** A village employee who accepts payment by credit card in accordance with this section and any applicable rules established by the village, shall not incur personal liability for the final collection of the payment.

**SECTION THREE:** That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

**SECTION FOUR:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Ayes:            Nays:            Absent:

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 20<sup>th</sup> day of November, 2017.

APPROVED:

ATTEST:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk