

RESOLUTION NO.

**A RESOLUTION APPROVING THE ACCEPTANCE OF CREDIT CARDS
AS A MEANS TO PAY CITY OBLIGATIONS**

WHEREAS, the City of Bel Aire, Kansas (hereinafter the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, a significant number of the payments the City receives for utilities along with various permits and fees for the services the City provides are made by credit card, which entails processing charges from credit card issuers that are based on a percentage of the payment made; and

WHEREAS, these processing charges, in the aggregate, are sufficiently substantial to impair the City’s ability to pay for staff additions that would enhance the provision of citywide services; and

WHEREAS, it is against public policy to subsidize with general public funds the payment options selected by discreet individuals for their personal benefit; and

WHEREAS, the Kansas Legislature has acknowledged this public policy by passing legislation codified as K.S.A. 12-16,125, which allows all Kansas cities to accept credit payments and recoup a portion of the processing charges issued by card processors;

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS, AS FOLLOWS:

Section 1. Credit Card Acceptance: In accordance with K.S.A. 12-16,125, City staff is hereby directed to accept credit cards for the payment of all financial obligations owing to the City. City staff are authorized to determine which credit cards the City will accept. City staff may set a fee to be added to each credit card transaction equal to the charge paid by the City for the use of the credit card by the person. City staff shall provide notice of such fee and of the acceptable credit cards to the person making payment by credit card.

Section 2. Debit Card Denial: Debit cards are not legal tender, and the City is lawfully allowed to deny payment by this means. The federal regulation of debit card use is intricate, confusing and compliance would be an inefficient use of City staff time. The state statute is imprecise with fees and debit card use. Therefore, the City does not authorize payment by means of debit card at this time and directs City staff to provide notice of the same. City staff are

42 authorized to negotiate alternative payment processes for payors desiring to avoid fees that are to
43 be placed upon credit card transactions.

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45 **Section 3. Effective Date.** This Resolution shall be in full force and effect from and after
46 its adoption by the Bel Aire City Council.

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48 **Section 4. Publication.** The City Clerk shall cause this Resolution, as soon as practicable
49 after it has been passed and approved, to be published on the City's website as the designated
50 official city newspaper.

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81 PASSED, ADOPTED, AND APPROVED by the Governing Body of the City of Bel Aire,
82 Kansas on this 6th day of May, 2025.
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85 CITY OF BEL AIRE, KANSAS
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90 Jim Benage, Mayor
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92 ATTEST:
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97 Melissa Krehbiel, City Clerk
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99 APPROVED AS TO FORM:
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104 Maria A. Schrock, City Attorney