

RESOLUTION NO. 2025-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, TO PASS THIRD-PARTY AUTOMATED CLEARING HOUSE FEES TO CUSTOMERS FOR PAYMENTS RELATED TO UTILITY BILLS AND PARKING TICKETS; PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE.

WHEREAS, the City of Flagler Beach, Florida provides the public the availability to make payments with an electronic ACH transaction from their financial institution; and,

WHEREAS, the City has been absorbing the fees charged to it to process the ACH transactions when processed through a third-party processor; and,

WHEREAS, currently, when ACH payments are pre-scheduled for automatic payments through the City to occur approximately the 18th of each month, the City is able to avoid the third-party ACH fees; and,

WHEREAS, the fee is incurred when ACH payments are used for the convenience of the payor but not on the City's pre-scheduled automatic payment program; and,

WHEREAS, the City Commission has determined that third party processing fees incurred by the City should be paid by the person using ACH to make the payment; and,

WHEREAS, the City Commission has determined that this can be accomplished by adopting a pass-through fee for ACH charges; and,

WHEREAS, the rates set forth herein are the same rates charged to the City for the third-party processing of ACH payments based on the value of the ACH transaction; and,

WHEREAS, the City Commission of the City of Flagler Beach finds this resolution to be in the best interests of the health, safety, and welfare of the citizens of the City of Flagler Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA AS FOLLOWS:

SECTION 1. The "WHEREAS" clauses above are hereby incorporated herein as legislative findings.

SECTION 2. The City of Flagler Beach hereby adopts a fee to be collected with each ACH transaction which incurs a third-party processing cost; said fee shall be in accordance with the following table:

ACH Transaction Amount	Fee
Up to \$500	\$1.95
Over \$500 up to \$5,000	\$2.95
Over \$5,000 up to \$10,000	\$4.95
Over \$10,000 up to \$20,000	\$9.95
Over \$20,000 up to \$50,000	\$19.95
Over \$50,000	.25% of transaction amount

SECTION 3. All resolutions and parts of resolution in conflict with this resolution are hereby repealed.

SECTION 4. If any portion of the Resolution shall be declared unconstitutional or if the applicability of this Resolution or any portion thereof to any person or circumstances shall be held invalid, the validity of the remainder of this Resolution and the applicability of this Resolution, or any portion thereof to other persons or circumstances, shall not be affected thereby.

SECTION 5. This Resolution shall become effective upon execution.

Upon motion duly made and carried, the foregoing Resolution was accepted by the City Commission of the City of Flagler Beach this 27th day of March, 2025.

CITY OF FLAGLER BEACH, FLORIDA

ATTEST:

Patti King
Mayor

Penny Overstreet
City Clerk