

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #14/20

**AN ORDINANCE AMENDING CHAPTER 186 OF THE CODE OF THE TOWN OF WEST
NEW YORK TO CODIFY AUTHORITY TO ACCEPT ELECTRONIC AND CREDIT CARD
PAYMENTS**

WHEREAS, the Town of West New York (“Town”) wishes to provide additional payment options to its residents and individuals or entities doing business with the Town; and,

WHEREAS, certain Town departments presently accept payment through electronic funds transfer, credit card and similar methods online or in-person without issue; and,

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the Town to expressly encourage payments by such methods and to expressly authorize all departments, with the exception of the municipal court, to accept credit card payments and electronic funds transfers for municipal fees and tax payments; and,

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey that the Code of the Town of West New York is hereby amended as follows:

SECTION I.

There is hereby added to Chapter 186 of the Code of the Town of West New York an Article V entitled Electronic and Credit Card Payments that shall read as follows:

Article V: Electronic and Credit Card Payments

§ 186-16 Purpose and authority.

§ 186-17 Credit card and electronic fund transfer authorization

§ 186-18 Convenience fee.

§ 186-16 Purpose and authority.

Pursuant to N.J.S.A. 40:48-1 and 40:49-2, the Town of West New York hereby authorizes all departments, with the exception of the municipal court, to accept credit card, and electronic fund transfer payments for municipal fees and taxes.

§ 186-17 Credit card and electronic fund transfer authorization.

- a. Any department of the Town of West New York shall accept credit card and electronic fund transfer payments for municipal fees and taxes, as authorized herein, whether in-person or online, if otherwise technically feasible to do so under the circumstances.
- b. The acceptance of credit card and electronic fund transfer payments by any Town department shall be implemented and supervised by the Municipal Administrator and Qualified Purchasing Agent, in conjunction with the IT Department.
- c. No payor shall have a right to demand acceptance by the Town, or any Town department, of payment by credit card or electronic fund transfer, as acceptance of such payment methods remains at the discretion of the Town.

§ 186-18 Convenience fee.

A convenience fee for credit card and electronic fund transfer payments may be charged, which shall be the actual cost charged to the Town by any credit card or electronic fund transfer service provider to effectuate payment by such methods.

SECTION II.

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION III.

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only, however, to the extent of such conflict or inconsistency.

SECTION IV.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Code of the Town of West New York. The Town Clerk and the Town Attorney be and are hereby authorized and directed to change any heading, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Code of the Town of West New York, or as they may otherwise deem appropriate, even if the headings, chapter numbers, article numbers and section numbers thus modified are otherwise provided for in this Ordinance.

SECTION V.

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

The purpose of this Ordinance is to formally authorize all departments including those presently accepting payments under the methods herein authorized, with the exception of the municipal court, to accept credit card and electronic fund transfer payments for municipal fees and taxes.

Introduction: 4/29/2020

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **April 29th, 2020** and ordered published, and will be further considered before final passage at a public hearing on **May 20th, 2020** at **6:30 p.m.** at the Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.

Carmela Riccie, RMC
Town Clerk