

Issue Analysis Form



Date: July 12, 2022
Authority to Advertise Public
Hearing – Ordinance
Amending County Ordinance
§2-731 Adding Other
Supported Payment Methods
{In addition to Credit and
Debit Cards}
Item: County Finance / County
Attorney
Lead Department(s):
Contact Person(s): Betsy Drewry / Dan Whitten

Description and Current Status

The July 12 agenda contains an item to award third-party payment processing services to **Tyler Payments** (previous agenda item). As a result of required upgrades to Tyler Cashiering, the County's ERP Tyler Munis module which departments use to process receipts, we must move away from Elavon, the current payment processor. Tyler Payments, the new recommended processor **accepts e-checks and Apple Pay as payment methods**. The County is not currently able to accept e-checks or Apple Pay as methods of payment, nor does our current Ordinance Chapter 2, Article VI, §2-731 address payment methods other than credit and debit cards.

Prince George County Ordinance Chapter 2, Article VI, §2-731, currently titled as "Payments of local taxes and other fees, charges, penalties and interest by approved credit or debit cards," must be amended to **add other payment methods** supported by the County's ERP and payment processor as covered payment methods. {Examples are e-checks and Apple Pay}.

A draft ordinance, with changes outlined, is attached for consideration (**Attachment A**), as well as a draft resolution authorizing the advertisement of the August 9 public hearing to consider the change. We recommend making the language in the Ordinance generic to support other payment methods that may be rolled out in the future, such as Google Pay, PayPal, Venmo, etc.

The draft public hearing notice is provided as **Attachment B**.

Sample Motion: I move that the Board approve a resolution to authorize the advertisement of a public hearing on August 9, 2022 to amend Prince George County Ordinance Chapter 2 Administration, Article VI. Finance, Section 2-731 **to allow for any supported payment method** as covered payment methods.

- | | | |
|---|---|--|
| Does this require IDA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require BZA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does This require Planning Commission Action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require Board of Supervisors action? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does this require a public hearing? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If so, before what date? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Fiscal Impact Statement

There is no added fiscal impact to the County.

The County currently passes along third-party processing fees to citizens using various payment methods. Our current ordinance specifies that fees charged to citizens will not exceed the amount the processor is charging the County, and this will continue to be the practice.

The credit and debit card (including Apple Pay) fee will become 3% (formerly 1.4%) and e-checks will be a flat \$1.75 per transaction. These fees will be recouped from citizens using those payment methods.

County Impact

Amending the Ordinance will allow for the acceptance of any supported payment methods in addition to debit and credit cards (such as e-checks and Apple Pay) as covered payment methods, and will allow the County to recoup the fees charged by the third-party payment processor from the citizen using the payment method.

Notes

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 9th day of August , 2022:

Present:

Marlene J. Waymack, Chair
Donald Hunter, Vice Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY AMENDING § 2-731 TO STATE THAT EFFECTIVE **AUGUST 9, 2022** WHEN THE COUNTY TREASURER OR COUNTY DEPARTMENTS ACCEPT ANY PAYMENT BY **ANY PAYMENT METHOD SUPPORTED BY THE COUNTY'S ERP AND PAYMENT PROCESSOR**, THE COUNTY TREASURER AND COUNTY DEPARTMENTS SHALL ADD A SUM NOT TO EXCEED THE AMOUNT CHARGED TO THE COUNTY FOR PROCESSING THE PAYMENT.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) That the Code of the County of Prince George Virginia, 2005, as amended, is amended by amending 2-731 as follows:

CHAPTER 2 ADMINISTRATION

ARTICLE VI. FINANCE

Sec. 2-731. - Payments of local taxes and other fees, charges, penalties and interest by approved credit or debit cards, **and all other payment methods supported by the County's ERP and payment processor.**

- a) The county treasurer and county departments are authorized to accept payment of local taxes and other fees, charges, penalties and interest by use of a credit or debit card, and using other payment methods supported by the County's ERP and payment processor.
- b) ~~Effective September 1, 2021, the~~ The county treasurer and county departments shall add to any such payment a sum not to exceed the amount charged to the county for the processing of the ~~credit or debit card~~ payment.
- c) The county shall not add the ~~payment credit or debit~~ processing fee for any items purchased ~~by credit or debit card~~ at the Prince George Farmers Market.

State Law reference— Authority to accept revenue by commercially acceptable means; service charge; bad check charge. Code of Virginia, § 2.2-614.1

(2) That the changes to this Ordinance shall be effective immediately.

**NOTICE OF PUBLIC HEARING
COUNTY OF PRINCE GEORGE**

Notice is hereby given to all interested persons that the Prince George Board of Supervisors will hold a public hearing on August 9, 2022 beginning at 7:30 p.m. in the Board of Supervisors Meeting Room, Third Floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia, (located at the intersection of Laurel Springs Road and Courts Drive in the County Government Complex) pursuant to § 15.2-1427, Code of Virginia (1950), as amended, to consider:

Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," 2005, as amended by amending § 2-731 Payments of local taxes and other fees, charges, penalties and interest by approved credit or debit cards, to add other acceptable supported payment methods, subject to fees.

A copy of the proposed Ordinance is available for review in the County Administrator's Office (Tel. 722-8600), 6602 Courts Drive, Prince George, Virginia. All interested persons shall be given an opportunity to be heard.

Jeffrey D. Stoke
County Administrator

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 12th day of July, 2022:

Present:

Marlene J. Waymack, Chair
Donald Hunter, Vice Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

A-10

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

**RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND
“THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,”
AS AMENDED, BY AMENDING §2-731 “PAYMENTS OF LOCAL TAXES AND
OTHER FEES, CHARGES, PENALTIES AND INTEREST BY APPROVED
CREDIT AND DEBIT CARDS” TO ADD ALL PAYMENT METHODS
SUPPORTED BY THE COUNTY’S ERP AND PAYMENT PROCESSOR AS
COVERED PAYMENT METHODS**

NOW, THEREFORE, BE IT RESOLVED, that the Board Of Supervisors of the County of Prince George this 12th day of July, 2022, does hereby authorize the advertisement of a public hearing on August 9, 2022 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §2-731 to add other payment methods supported by the County’s ERP and payment processor, in addition to payments by credit and debit cards.

A Copy Teste:

Jeffrey D. Stoke
County Administrator