

**CITY OF SANIBEL
ORDINANCE NO. 21-XXX**

AN ORDINANCE PERTAINING TO CHAPTER 02 OF THE SANIBEL CODE OF ORDINANCES, ENTITLED “ADMINISTRATION”, ARTICLE VI – FINANCE, DIVISION 2 – FEES, ADDING SECTION 2-289 – CREDIT CARD CONVENIENCE FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Sanibel's Finance Departments recommends that a convenience fee be added to purchases made by credit card, charge card, and bank debit card for financial obligations that are owed the City; and

WHEREAS, Florida statute permits the City to surcharge such payments an amount sufficient to pay the service charges by the financial institution, vending service company, or credit card company for such services; and

WHEREAS, the adopted fees herein shall amend Chapter 02, Fees, and shall be codified in the Sanibel Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Sanibel, Florida:

SECTION 1. The recitals above are true and correct and made a part hereof.

SECTION 2. Sanibel Code of Ordinance Chapter 02 – ADMINISTRATION, ARTICLE VI – FINANCE, DIVISION 2 – FEES, Sec. 2-289. – Credit Card Convenience Fees is hereby added with ~~strike through~~ language indicating deletions and underlined language indicating additions as follows:

Sec. 2-289. Credit Card Convenience Fees

A convenience fee of _____ % will be added to payments made by credit card, charge card, or bank debit cards. This amount is in addition to the financial obligation being paid. No amount of this fee is retained by the City.

SECTION 3. Codification. This ordinance shall be deemed an amendment to the Sanibel Code of Ordinances and shall be codified in the Sanibel Code of Ordinances as such an amendment. The City Clerk is hereby authorized and directed to instruct as part of the codification that all section numbers amended by this Ordinance are updated and corrected throughout the Code of Ordinances in the event such section numbers are referenced.

SECTION 4. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed, and the remainder shall have full force and effect and be liberally construed.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

SECTION 6. Effective Date. This ordinance shall take effect on _____, 2021.