

ORDINANCE NO. O-19-____**AN ORDINANCE ADOPTING A WRITTEN POLICY FOR THE USE OF CREDIT CARD ACCOUNTS; AND DECLARING AN EMERGENCY.**

WHEREAS, the Substitute House Bill 312, recently enacted by the General Assembly of the State of Ohio, requires that political subdivisions adopt a written policy for the use of credit cards for accounts in the name of or used by the political subdivision, its officers, agents or employees for the purposes of the political subdivision; and

WHEREAS, Substitute House Bill 312 requires that such written policy be adopted on or before February 2, 2019; and

WHEREAS, the City of Amherst has formulated such a written policy consistent with the provisions of Substitute House Bill 312 for consideration by Council; and

WHEREAS, the Finance Committee of Amherst City Council at a special meeting held on January 28, 2019 has reviewed the proposed policy and has voted to bring the matter of adoption of such written policy to the floor of Council on emergency.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Amherst, County of Lorain, State of Ohio:

SECTION 1: That it does hereby adopt the following written Credit Card Policy:

CREDIT CARD POLICY

The City of Amherst recognizes the efficiency and convenience afforded the day-to-day operation of the City through the use of credit cards. However, credit cards are not to be used to circumvent the general purchasing procedures required by State law and City policies. A purchase order must be in place prior to the use of a credit card. Credit cards are defined as any bank issued credit card account, store issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, or any other card or credit account allowing the holder to purchase goods or services on credit or to transact with the account, and any debit or gift card account related to the receipt of grant moneys.

The Council appoints the Deputy Treasurer as the compliance officer. Quarterly the compliance officer will review the number of cards the City has, the number of active cards the city has, the expiration dates and the credit limit for each card. This information will be provided to City Council for review.

The City Auditor or designee will be responsible for issuing, reissuing, and cancelling all credit cards.

Credit Cards

1. The City name must appear on each card associated with the credit card account.
2. The City Auditor or designee will provide an annual report to the Council detailing all rewards received based on use of the credit card account.
3. Credit cards may only be used by the following individuals (maximum credit limits for each account is \$3,000 except as noted below):
 - a. *City Auditor (\$25,000)*
 - b. *Deputy Auditor*
 - c. *Mayor*
 - d. *Mayor's Administrative Assistant*
 - e. *Safety Service Director*
 - f. *Police Lieutenants*
 - g. *Police Chief (\$5,000)*
 - h. *Superintendent (Utilities and WPCC)*
 - i. *Building Inspector*

- j. Treasurer*
- k. Deputy Treasurer*
- l. Foreman (Water, Sewer, WPCC, Electric, Park & Street)*

4. Credit cards may be used for City related transportation, reservations and expenses, conference registrations and hotel reservation guarantees for the staff. Such expenses are subject to the reimbursement limits established by the Council.
5. With approval through the purchase order process, credit cards may be used by city employees for city-related purchases from a vendor who does not accept purchase orders or vouchers or as authorized by the City Auditor.
6. Gratuities are not permissible.
7. All credit card statements shall be sent directly to the City Auditor's office. The City Auditor shall keep a record of all credit card use.
8. Receipts and appropriate form(s) shall be turned in with the credit card to the City Auditor. Receipts for meals must include the names of all individuals for whom meals were provided and the purpose of the meeting. Failure to turn in receipts and appropriate form(s) to the City Auditor in a timely manner will result in the charges being deemed unrelated or unsubstantiated. The user shall be responsible for any unsubstantiated or unrelated purchases. Any late fees assessed to the City due to an employee failing to submit invoices and credit card receipts on a timely basis shall be the responsibility of the employee.
9. All authorized users must immediately report loss or theft of the City credit card to the City Auditor or designee who will immediately contact the credit card issuer.

The use of the credit card for the following items is considered unauthorized use and classified as credit card misuse:

- expenditures not specifically authorized by this policy;
- purchase of personal goods or services for an employee, an employee's spouse, children or anyone employed or not employed by the City and attending a City business function;
- payment of any fines, penalties or personal liabilities incurred by the employee or anyone else;
- alcoholic beverages or tobacco;
- gratuities;
- fuel for use in a personal vehicle;
- pay-per-view movie charges and/or
- cash advances.

Persons using a credit card for personal, non-authorized purposes or undocumented expenditures shall be held personally responsible for those expenditures. Misuse of the credit card is subject to disciplinary procedures, including termination. An employee or officer of the Council who knowingly misuses a City credit card account may also be in violation of State criminal law.

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of

this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

SECTION 3: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio, the emergency being the necessity of adopting such policy on or before February 2, 2019; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Mayor; otherwise it shall take effect at the earliest period allowed by law.

1 st reading	_____	_____
2 nd reading	_____	Jennifer Wasilk, President of Council
3 rd reading	_____	

PASSED	_____	APPROVED
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ATTEST	_____	Mark Costilow, Mayor
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Approved as to form by:

Anthony R. Pecora, Director of Law

Filed with the Mayor: _____