

10-12-20 1st Rdg  
10-28-20 2nd Rdg

**VILLAGE OF ELMORE**

**ORDINANCE NO. 08-20**

**AN ORDINANCE ESTABLISHING A NEW POLICY FOR THE USE  
OF CREDIT CARD ACCOUNTS AND REVOKING THE PRIOR  
POLICY SET OUT IN ORDINANCE NO. 01-19**

**WHEREAS**, Ordinance 38-06 regulates cell phone use and the use of credit cards, and

**WHEREAS**, Section 717.31 of the Ohio Revised Code places requirements on the use of credit cards by a municipal corporation which require the revocation of the prior credit card regulations in Ordinance No. 38-06 and the adoption of these new regulations, and

**WHEREAS**, a recent State Audit recommended certain changes in the credit card policies set out in Ordinance No. 01-19,

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ELMORE, OTTAWA COUNTY, OHIO:**

**Section 1.** That those provisions of Ordinance 38-06 dealing with Village credit cards are hereby revoked. Ordinance No. 01-19 is also hereby revoked.

**Section 2.** This Ordinance establishes a Custody and Control Model credit card policy for the Village of Elmore.

**Section 3.** The officers or positions authorized to use a credit card account are listed on the "Authorized User List" maintained by the Village Fiscal Officer. Said list shall show the authorized user by name, office, or position. It shall also list the date of approval by Council, the

card or cards authorized to be used, and when applicable, the date authorization is terminated; e.g.

Authorized User	Date Council Approved	Authorized Credit Card Account	Date Authorization Terminated

**Section 4.** The expenses for which a credit card account may be used only include purchases of work-related goods and services incurred on behalf of the Village. Such work-related goods and services include, but are not limited to, gasoline for village vehicles, meal allowances, and equipment/parts purchased on behalf of a Village project.

No single credit card transaction may exceed \$500.00. In the event of an emergency, the authorized user shall notify the fiscal officer of the need to spend an amount in excess of the limit. Village Administrator, David Hower, is Authorized up to \$5,000 per credit card transaction

**Section 5. Guidelines for Acquisition, Use, and Management**

- A. **Acquisition.** Council must authorize an individual to use a Credit Card account before a person may become an Authorized User and acquire access to a Credit Card or other presentation instrument associated with a Credit Card Account. The Council may place limits on the authorization of use of a Credit Card at such time as a person receives authorization to use a Credit card or any time thereafter, at the Council's discretion and upon notice to the Authorized user. Upon the Council's authorization, the person receiving authorization must sign a copy of the attached Exhibit A, acknowledging he or she received a copy of this policy and agreeing to abide by it.
- B. **Permitted Uses.** Authorized Users may use a Credit Card Account for Authorized Expenses, as described in Section 4 of this Policy, incurred only by the Authorized

User. An Authorized User may not transfer the Credit Card or purchase goods on behalf of any other person, regardless of whether the person is an employee of the Village or is purchasing goods or services for the Village. Authorized Users may, unless otherwise prohibited by Council, use a Credit Card in person, online, over telephone, by mail, or through fax. All purchases must be evidenced by an itemized receipt. If purchasing goods online, the Authorized User must use reasonable care and judgment regarding the authenticity and security of a website.

- C. **Reasonable Care.** Authorized Users must use reasonable care when using a Credit Card.
- D. **Notification of Purchase.** Prior to using a Credit Card, the Authorized User should make a good faith effort to notify Council, their authorized representative, or the Fiscal Officer of the intended purchase of goods or services that are not routine.
- E. **Storage.** Authorized Users must take measures to ensure Credit Cards, checkbooks, and any other presentation instruments associated with a Credit Card Account are kept in a secure place at all times.
- F. **Receipts.** Original, itemized receipts must be submitted to the Fiscal Officer as soon as reasonably possible. The receipt should include the customer copy of the receipt, any invoice from the vendor, the cost of goods or services purchased, and the date of the purchase. The Authorized User should also submit documentation verifying the purchase was made on behalf of the Village, if necessary to describe the purchase.
- G. **Return of the Credit Card to Village.** The Authorized User, upon resignation, termination, or change in position within the Village shall return the Credit Card to the Fiscal Officer immediately. Additionally, the Credit Card shall be immediately returned if the Village revokes authorization to use the Credit Card or request the return of the Credit Card.
- H. All Credit Cards shall be in the possession of the Fiscal Officer when not in use. The Credit Card may be held by an authorized user for a reasonable length of time to

complete a transaction. In no event shall a Credit Card be held by an authorized user for more than three days.

- I. Authorized users shall sign out and sign in credit cards on the Sign Out/In sheet provided by the Fiscal Officer.

**Section 6. Liability.** The Authorized User will be personally responsible for reimbursing the Village for any of the following:

- A. Expenses charged to the Credit Card that are not documented and submitted to the Fiscal Officer or the Fiscal Officer designee;
- B. Expenses that exceed the scope of the authorization allotted by Council of the Authorized User's use of the Credit Card;
- C. Unauthorized expenses;
- D. Purchases the Authorized User allowed an unauthorized user to make;
- E. Any other purchases made with the Credit Card that are in violation of the Policy, and the amendments and supplements thereto.

**Section 7. Unauthorized Expenses.** Any purchase made beyond specific authorization limits imposed by Council, if any, or what is authorized in this Policy, is an unauthorized expense. The use of a Credit Card Account for personal expenses is expressly prohibited. Personal expenses include those expenses that are not incurred as a direct result of the Authorized User's employment with the Village. Personal expenses include, but are not limited to, gasoline for personal vehicles, cash advances, any amount in excess of meal allowances, alcoholic beverages, tobacco, gambling, and personal goods.

**Section 8. Misuse.** Using a Credit Card for Unauthorized Expenses, as the same are discussed in Section 7, constitutes misuse. Failing to submit receipts, or submitting incomplete information, within a reasonable time after making a purchase also constitutes misuse.

Any public servant, as the same is defined in Section 2921.01 of the Revised Code of Ohio, who knowingly misuses a Credit Card will be subject to criminal prosecution

pursuant to Section 2913.21 of the Revised Code of Ohio. Misuse of a Credit Card may result in disciplinary action up to and including termination.

**Section 9. Issuing and Re-issuing a Credit Card.** A Credit Card should be issued or re-issued at the discretion of Council. Upon the written request of an employee, prior Authorized User, or Authorized User, Council may re-issue a Credit Card.

**Section 10. Cancellation and Stolen/Lost Credit Cards.** An individual Credit Card connected to a Credit Card Account should be cancelled upon the determination of Council, the Mayor, or Village Administrator.

In the event a Credit Card is lost or stolen, or the Authorized User has reason to believe a Credit Card is lost or stolen or used in an unauthorized manner, the Authorized User shall immediately notify the Fiscal Officer in person or by phone and in writing. The Fiscal officer must notify the card issuer immediately. The Authorized user must provide all necessary information required by the Village or the card issuer relating to the disappearance of the Credit Card.

**Section 11. Credit Card Account Limits.** The credit limit on each Credit Card Account held by the Village is included in the attached Exhibit B incorporated herein by reference and should be updated upon any change of limits or additional credit lines.

**Section 12. Credit Card Account Instruments.** The Village's name shall appear on each presentation instrument related to the Credit Card Account, including but not limited to Credit Cards and checks.

**Section 13. Annual Report.** The Fiscal officer annually shall file a report with the Council detailing all rewards received, based on the use of the Credit Card Accounts.

**Section 14. Administrative Duties.** Each month the Fiscal Officer shall present a Credit Card Account transaction detail from the previous month to the Council. Council shall review the Credit Card Account transaction detail and the President of Council shall sign an attestation stating Council reviewed the Credit Card Account transaction detail.

**Section 15. Quarterly Report.** The Fiscal officer and Council shall review the number of active cards and accounts issued, the cards' and accounts' expiration dates, and the cards' and accounts' credit limits.

**Section 16.** 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 meeting open to the public in compliance with all legal requirements of the Village of Elmore and the State of Ohio.

PASSED: 11/9/2020

To Pass:                      Yeas 6      Nays 0

Date: 11/9/2020

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

APPROVED:

  
\_\_\_\_\_  
MAYOR

ATTEST:

Shore Hayes  
CLERK

**FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION**

This is to certify that publication of the foregoing Ordinance was duly made as provided in Ordinance No. 14-09, adopted June 8 2009, \_\_\_\_\_, \_\_\_\_\_ by the following method:

By posting certified copies thereof in five (5) public places specified in Codified Ordinance No. 14-09, said posting having been accomplished on the following date:  
11-10-2020

Shore Hayes  
FISCAL OFFICER

**FISCAL OFFICER'S CERTIFICATE AS TO AUTHENTICITY**

I hereby certify that the foregoing Ordinance is a true copy of the aforesaid Ordinance No. \_\_\_\_\_, together with a true and accurate record of the adoption by the Village of Elmore, Ohio.

\_\_\_\_\_  
FISCAL OFFICER

Prepared by Mark Mulligan, Village Solicitor

**EXHIBIT A**

**ACKNOWLEDGEMENT OF THE VILLAGE OF ELMORE CREDIT CARD AND POLICY**

I, \_\_\_\_\_, acknowledge that I have received a Village of Elmore credit card to carry on my person and use for work-related purchases on behalf of the Village, and am hereby considered an "Authorized User." I have also received and read a copy of the Village's Credit Card Policy (the "Policy") and agree to abide by all the terms contained in the Policy. Further, I will immediately report any lost or stolen cards and return a credit card upon my resignation, termination, or the request of the Council, Mayor, or Village Administrator.

I understand the credit card may only be used for the purchase of goods and services on behalf of the Village, and that I will be held liable for any unauthorized purchases.

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_





