

## ORDINANCE 9 - 2022

### AN ORDINANCE ESTABLISHING THE PROCEDURE AND PROTOCOL FOR THE USE OF CREDIT CARDS FOR THE VILLAGE OF BOLIVAR IN ACCORDANCE WITH HB 312

**WHEREAS**, the Ohio State Legislature has enacted House Bill 312, regulating the use of credit cards and debit cards by political subdivisions; and

**WHEREAS**, HB 312 requires the legislative authority of a political subdivision that holds a credit card account on its effective date to adopt a written policy, which must comply with the various requirements of the new law, for the use of credit card accounts no later than three months after the effective date; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BOLIVAR, OHIO, AS FOLLOWS:**

**Section 1.** All credit cards will have the Village of Bolivar and/or the Employee Name appear on the card. The Village of Bolivar shall not have debit cards. Council will appoint a compliance officer who will be a council member who does not hold or use a Village credit card.

**Section 2.** Authorized uses are limited to the Village Mayor, Street Supervisor, the Fiscal Officer and any other person subsequently authorized and designated by a majority vote of Council. The authorized users retain control over, and are solely responsible for securing the card issued to them and shall report a lost or stolen card immediately to the Village Fiscal Officer who will notify the card issuer.

**Section 3.** The Village credit card(s) can only be used for expenses related to Village operations, including but not limited to: fuel, equipment and maintenance.

**Section 4.** All purchases must be generally or specifically approved by council through a purchase order for each purchase. Receipts for all purchases must be promptly submitted to the Fiscal Officer. If a receipt is not provided, or if the purchase is not approved by Council, the purchaser will be responsible to reimburse the Village for the expense. A receipt that does not show a clear description of the item purchased must be accompanied by a hand-written description of the items purchased and purchase amount. The use of the credit card shall not be used to circumvent controls already in place to maintain compliance with the Ohio Revised Code for purchases.

**Section 5.** All applications for new card accounts, reissuance of cards, and card cancellations must be approved by a majority vote of Council. Lost or stolen cards must

be reported immediately to the Fiscal Officer and/or the Compliance Officer, either of whom shall be authorized to contact the card issuer to freeze the account.

**Section 6.** The credit limit on each credit card shall not exceed \$1,500.00.

**Section 7.** Making a purchase not authorized by a purchase order is deemed misuse of the credit card. Obtaining cash advances, making purchases of alcoholic beverages, making purchases that are for personal use and not for the Village, and failure to promptly report a lost or stolen credit card are deemed misuse of the credit card. Misuse of a credit card is a misdemeanor of the 1<sup>st</sup> degree. Charges for misdemeanor misuse of a credit card under this ordinance shall not prevent or pre-empt charges for any other crime that the misuse would otherwise qualify for.

**Section 8.** Council and/or the Village Compliance Officer shall periodically review expenditures. The Compliance Officer and Council shall review active cards and credit limits, number of cards issued, and expiration dates on a quarterly basis. The Compliance Officer for the Village shall be the Village Administrator.

**Section 9.** The Village Fiscal Officer will present a report of all credit card purchases at each regular council meeting. After council review and discussion, the Compliance Officer, or if he or she is not available, another council member not in possession of a credit card, will sign indicating the review is complete.

**Section 10.** All rewards are an asset owned by the Village of Bolivar and shall remain under Village control. The Compliance Officer shall review and present the accumulation and use of rewards in the report required by Section 9. The Compliance Officer shall review and determine allocation of rewards, not otherwise allocated throughout the year, at the end of each calendar year.

**Section 11.** This Ordinance is hereby declared to be an emergency measure, and its immediate passage is necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Bolivar, Ohio, for the purpose of maintaining village affairs. Provided it receives the affirmative vote of two-thirds of the members elected to or appointed to Council, it shall take effect and be in force immediately upon its passage and approval.

1st Reading: January 3, 2022

2nd Reading: February 7, 2022

3rd Reading and PASSED: March 7, 2022

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**Tim Lang, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

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**Patty Smith, Fiscal Officer**

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**Attorney Tara Wright-Timberlake  
Legal Counsel, Village of Bolivar**