

RESOLUTION NO. 3-2026

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, ADOPTING A POLICY TO CHARGE CUSTOMERS CREDIT CARD PROCESSING FEES ON PAYMENTS TO DAVID CITY UTILITIES; REPEALING ALL CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 1-605(A) of the David City Municipal Code (the "Code") authorizes the City of David City, Nebraska, a municipal corporation and city of the second class ("City") to accept payments via credit cards; and

WHEREAS, Section 1-605(F) of the Code allows City to charge customers a surcharge or convenience fee to offset administrative fees a credit card company charges City; and

WHEREAS, Section 13-609(6) of the Nebraska Revised Statutes prohibits City from charging a surcharge or convenience fee in excess of the administrative fees the credit card company charges; and

WHEREAS, City desires to charge customers a fee equal to the fee the credit card company charges City for payments made to David City Utilities; and

WHEREAS, City finds it in the best interest of City and its residents to adopt this policy.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, as follows:

- 1. Administrative Fee.** City hereby imposes a fee upon all credit card payments made to David City Utilities equal to the administrative fee the credit card company charges City. The fee shall be payable by the customer making the payment and shall be due at the time of the payment.
- 2. Conflicting Resolutions.** City repeals all other resolutions and portions of resolutions passed and approved prior to the passage, approval, and publication of this Resolution and in conflict herewith to the extent of the conflict thereof.
- 3. Further Action.** City authorizes the Mayor and City Clerk to take such other action and execute such other documents as may be reasonably necessary to effectuate the purposes herein.
- 4. Effective Date.** This Resolution takes immediate effect upon approval.

PASSED AND APPROVED THIS 25th day of March, 2026.

ATTEST

Lori Matchett, City Clerk

Jessica Miller, Mayor

APPROVED AS TO FORM:

David C. Levy, Esq., City Attorney