

RULES & REGULATIONS

OF THE MANAGER OF THE DEPARTMENT OF REVENUE,
CITY & COUNTY OF DENVER

RULES AND REGULATIONS FOR
ACCEPTANCE OF ALTERNATIVE FORMS OF
PAYMENT

Date Advertised:

2/17/2005

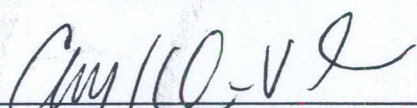
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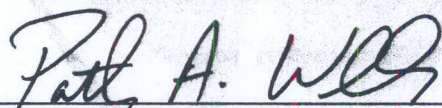
Approved & Adopted:



Cheryl Cohen-Vader
Manager of Revenue

Approved as to form:

Cole Finegan
Attorney for the City & County of Denver

By 

Assistant City Attorney

March 16, 2005
Effective Date

Adopted pursuant to Article II, Part 5, of the Charter of the City and County of Denver and Section 2-91 *et seq.* of the Denver Revised Municipal Code.

Three copies of these rules and regulations are filed with the City Clerk, one copy with the Denver City Attorney's Office, and one copy in the office of the Manager of Revenue.

MANAGER OF REVENUE

Rules and Regulation No. 2

Date Issued: 3/16, 2005

CONVENIENCE FEES FOR ALTERNATIVE FORMS OF PAYMENT

1.00 GENERAL PROVISIONS

1.01 PURPOSE

The purpose of this Rule and Regulation is to set forth the City's policy and requirements for imposing a Convenience Fee on persons or entities choosing to use Alternative Forms of Payment.

1.02 AUTHORITY

City Charter, Section 2.5.4
Revised Municipal Code, Section 20.36
Colorado Revised Statutes, Section 29-11.5-103

1.03 DEFINITIONS

.01 *Alternative Form of Payment*: A means of payment, including but not limited to credit, charge, or debit cards, payments electronically processed via ACH (Automated Clearing House) such as E-checks, other than cash or checks. Such a payment shall be regarded as an Alternative Form of Payment whether made in person, by telephone or telefax, or by Internet.

.02 *City Agencies*: All City departments, agencies, boards, commissions, and offices, along with any City contractors, agents, or concessionaires required to deposit receipts with the Department of Revenue.

.03 *Convenience Fee*: Charge for processing payments made by Alternative Forms of Payment in transactions with City Agencies.

1.04 POLICY

As a service to City customers, the acceptance of Alternative Forms of Payment creates additional costs to the City. In lieu of increasing service fees or charges to all customers, Convenience Fees may be assessed on individuals or entities wishing to pay by these Alternative Methods of Payment. Convenience Fees are based on the additional cost, including staff time, incurred by City Agencies, including the Department of Revenue, in processing the transaction.

1.05 APPLICABILITY & RESPONSIBILITY

.01 This Rule and Regulation is applicable to all City Agencies, regardless of the funding source.

.02 City Agencies wishing to accept Alternative Forms of Payment shall confer with the Department of Revenue to determine the acceptance of these payments in accordance with this Rule and Regulation.

.03 It is the responsibility of the managers and directors of City Agencies to ensure employees and staff comply with this Rule and Regulation.

.04 The Department of Revenue is responsible for the allocation of the banking and processing related fees incurred, including costs associated with Alternative Forms of Payment made to City Agencies.

.05 If a City Agency operates outside this Rule and Regulation, the Department of Revenue may terminate the City Agency's ability to accept Alternative Forms of Payment.

2.00 REQUIREMENTS

2.01 COLLECTION FOR ANOTHER GOVERNMENTAL ENTITY

If a City Agency collects payments or other revenue on behalf of another governmental entity, which is not a City Agency, a Convenience Fee shall be collected in accordance with the fee schedule in section 2.03 below. To the extent that State law requires that the full amount of the payments or other revenue received on behalf of another governmental entity be collected and remitted without reduction to cover collection or service costs, Alternative Forms of Payment may not be used unless the reduction in revenue is budgeted by the City Agency or Convenience Fees are collected.

2.02 COLLECTION FOR THE CITY

If the payments or other revenues received by a City Agency are collected solely for the benefit and use of the City and County of Denver, a Convenience Fee shall be collected in accordance with the fee schedule in section 2.03 below, unless one of the following exemptions occurs:

.01 A determination is made by a City Agency, in consultation with the Department of Revenue, that the costs related to accepting Alternative Forms of Payment for specified types of payments or other revenues to that City Agency should be regarded as a normal cost of doing business; or

.02 Fees and charges, other than a Convenience Fee, which are being paid by Alternative Forms of Payment, have been adjusted to take into consideration the costs related to accepting Alternative Forms of Payment. A City Agency relying upon this exemption from the requirement to collect Convenience Fees must notify the Department of Revenue in advance and in writing of this fact and identify the specific fees or charges not subject to Convenience Fees; or

.03 The collection of a new revenue source is identified by a City Agency, in consultation with the Department of Revenue, to be implemented to cover such costs incurred by accepting Alternative Forms of Payment.

2.03 CONVENIENCE FEE SCHEDULE

	<u>Per Transaction</u>
Credit Card Payments	2.50%
E-Check Payments	\$3.00

2.04 DEPOSIT AND ALLOCATION OF CONVENIENCE FEES

All Convenience Fees received by a City Agency shall be separately accounted for and deposited into the bank account where the banking related fees are incurred with respect to the acceptance of Alternative Forms of Payment. Convenience Fees received will be allocated, to the extent necessary, to pay for banking and processing related fees incurred with respect to Alternative Forms of Payment.