

**ORDINANCE NO. 2023-11**

**ORDINANCE AUTHORIZING ELECTRONIC FUNDS TRANSFER AND ONLINE BANKING**

**WHEREAS**, I.C. 36-1-3 *et seq.*, known as “Home Rule”, permits any unit in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of its governmental or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

**WHEREAS**, I.C. 36-5-2 *et seq.* establishes the Town Council as the legislative body for the Town of New Richmond and grants it the authority to adopt ordinances and resolutions in order to perform necessary functions of the Town; and,

**WHEREAS**, the Clerk-Treasurer of the Town of New Richmond, Indiana finds it necessary to adopt a policy to authorize ACH and EFT including online transfer transactions pursuant to I.C. 36-1-8-11.5 as a method of payment of claims; and,

**WHEREAS**, the New Richmond Town Council, has determined that it is reasonable and appropriate to establish an Ordinance authorizing the use of electronic fund transfers for official Town business of the Town of New Richmond.

**NOW THEREFORE BE IT ORDAINED** by the New Richmond Town Council, Montgomery County, Indiana that:

- (A) The New Richmond Town Clerk-Treasurer is hereby authorized to use electronic funds transfers for official business of the Town of New Richmond.
- (B) **Electronic Fund Transfers.** Electronic fund transfers (EFT) shall include automated clearinghouse payments (ACH), wire transfers, direct deposit, on-line banking transactions, telephone transfers, and other electronically authorized or implemented transfers or payments.
- (C) The Town Clerk-Treasurer is hereby authorized and responsible for:
  - (1) Selecting the financial institution(s) to be used by the Town of New Richmond for electronic funds transfers;
  - (2) Overseeing the use of electronic funds transfers for the official business of the Town of New Richmond;
  - (3) Establishing appropriate security procedures for passwords, codes, controls, and other authorizations to protect and preserve the funds and assets of the Town of New Richmond;
  - (4) Reviewing all transactions and confirmation in connection with the use of electronic funds transfers for property authorization, documentation, itemization, and purpose.
- (D) **Documentation.** The Town Clerk-Treasurer is required to maintain adequate documentation of the above-referenced transactions for future audits, as provided by law.
  - (1) There is a fully itemized invoice or bill for each expense;

(2)The payment of the claim is allowed by the New Richmond Town Council on the accounts payable register.

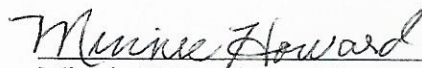
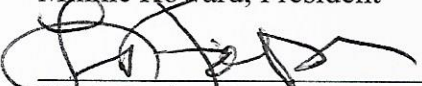
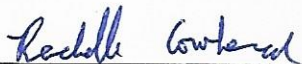
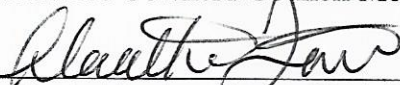
**EFFECTS OF ADOPTION ON PRIOR ORDINANCE**

This ordinance supersedes all other ordinances or parts of ordinances which are in conflict with its provisions, and any such ordinance is hereby repealed.

**EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after the date on which the Town of New Richmond has adopted and published this ordinance pursuant to law.

**PASSED AND ADOPTED** this 6th day of September, 2023, by the Town Council of the Town of New Richmond, Montgomery County, Indiana.

	Aye	Nay	Abstain
 Minnie Howard, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Linda Forbes Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Rachelle Cowherd Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Attest: Alaathea Eoust, Clerk-Treasurer			