

AN ORDINANCE ADOPTING NEW SECTION 21-69 OF THE CODE OF ORDINANCES OF THE CITY OF CHESTERFIELD, MISSOURI, RELATING TO UNLAWFUL USE OF A CREDIT CARD OR DEBIT CARD.

Whereas, the City of Chesterfield seeks to protect consumers and businesses from the unlawful use of credit and debit cards; and

Whereas, the City of Chesterfield's police powers allow it to regulate the use **of** credit and debit cards.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI as follows:

Section One

For the purposes of this section:

- (1) "Cardholder" means the person named on the face of the credit card or debit card to whom or for whose benefit the card is issued
- (2) "Credit Card" means an identification card, plate, code, number, or any other device authorizing a designated person or bearer to obtain property or services on credit. This term includes the number or description of the device if the device itself is not produced at the time of ordering or obtaining the property or service.
- (3) "Debit Card" means an identification card, plate, code, number, or any other device authorizing a designated person or bearer to communicate a request to an unmanned teller machine or obtain property or services by debit to an account at a financial institution. This term includes the number or description of the device if the device itself is not produced at the time of ordering or obtaining the benefit.

Section Two

A person is guilty of unlawful use of a credit card or a debit card if, with the intent to obtain property or services by fraud, he:

- (1) Uses, receives, takes, or obtains a credit card or debit card issued to another person without the consent of the cardholder; or
- (2) Uses a credit card or debit card which he knows has been revoked, cancelled, or expired; or
- (3) Knowingly uses a falsified, mutilated, or altered credit card or debit card; or
- (4) Not being the issuer, sells a credit card or debit card or buys a credit card or debit card from a person other than the issuer.

Section Three

Every person convicted of a violation of any section of this chapter shall be punished by a fine of not less than one (\$1) dollar, nor more than one thousand (\$1,000) dollars, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

Section Four

This Ordinance shall be in full force and effect both from and after its passage and approval by the Mayor.


MAYOR

ATTEST:


CITY CLERK

FIRST READING HELD: 7/20/09