ORDINANCE NO. 2024-5
CHAPTER 40
ARTICLE III

AN ORDINANCE to amend Chapter 40 of the 2019 Detroit City Code, *Sales,* Article III, *Acceptance of Cash by Retail Establishments and Food Stores,* by amending Section 40-3-4, *Exceptions,* to remove the conversion card exceptions that 1) the prepaid card neither be subject to an expiration date nor have a limit on the number of card transactions and 2) the conversion device allow customers to redeem unused balance for cash.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 40 of the 2019 Detroit City Code, *Sales,* Article III, *Acceptance of Cash by Retail Establishments and Food Stores,* be amended by amending Section 40-3-4, to read as follows:

CHAPTER 40. SALES
ARTICLE III. ACCEPTANCE OF CASH BY RETAIL ESTABLISHMENTS AND FOOD STORES

Sec. 40-3-4. Exceptions.

(a) This article does not apply to the following transactions or enterprises:

(1) Transactions conducted by telephone, mail, or internet;

(2) Payments at parking lots and parking garages;

(3) Transactions, including membership fees, at retail stores that sell consumer goods exclusively through a membership model requiring payment by means of an affiliated mobile device application or online application;

(4) Transactions at wholesale clubs that sell consumer goods and services through a membership model;

(5) Transactions for the rental of consumer goods, services, or accommodations for which posting of collateral is typically required; and

(6) Transactions based on a pre-arranged payment for a pre-arranged rideshare service, which is conducted exclusively through the use of a mobile application.

(b) A retail establishment or food store, which provides a conversion device on its premises, will not be subject to the requirements of Section 40-3-3 of this Code, provided, that:

(1) No fee is charged for use of the conversion device or card;

(2) The conversion device does not require a minimum deposit of more than five dollars; and

(3) The conversion device does not collect any personal identifying information from the customer.

Section 2. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 3. This ordinance is declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 4. In the event this ordinance is passed by a two-thirds majority of City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is passed by less than a two-thirds majority of City Council Members serving, it shall become effective on the 30th day after publication, in accordance with Section 4-118(2) of the 2012 Detroit City Charter.

(J.C.C. pp.	:	November 7, 2023)
Passed:		February 6, 2024
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JANICE M. WINFREY
City Clerk