



TREASURER'S OFFICE COIN ACCEPTANCE POLICY

1.1 From time to time, a citizen will request to pay their debts to the City in coins (i.e. pennies, nickels, etc.). As a result, the City of Staunton Treasurer has adopted the following minor coin acceptance policy as a means of office efficiency.

1.2 The Coinage Act of 1965, specifically Section 31 U.S.C. 5103, entitled "Legal Tender", states: "United States coins and currency (including Federal reserve notes and circulating notes of the Federal Reserve banks and national banks) are legal tender for all debts, public charges, taxes and dues." This statute means that all United States money as identified are valid and legal offer of payment for debts when tendered to a creditor. According to the United States Department of Treasury (<https://www.treasury.gov/resource-center/faqs/Currency/Pages/legal-tender.aspx>), there is however, no federal statute mandating that a private business, a person or organization must accept currency or coins as for the payment of goods and/or services. Businesses are free to develop their own policies on whether or not to accept cash unless there is a State law which says otherwise. The Code of Virginia has no said provision.

To support this, there are two court cases *State v. Carroll* and *Martin v. Rhode Island Co.*, which upheld the interpretation of Section 31, that one cannot successfully argue that one can pay a grocery bill, or a utility bill of say, \$200 with pennies, on the ground that pennies are legal tender. The ruling further states that such a payment would involve the counting of 20,000 pennies. Activities of that kind would bring commerce and government to a halt." Additional research located a legal opinion dated April 22, 2005, regarding the acceptance of unrolled pennies for the \$50.00 bill (<http://www.mtas.tennessee.edu/KnowledgeBase.nsf>). The Court concluded that the utility department could "provide a reasonable procedure for the place, time and manner of accepting fines consistent with the efficient operation of the office.

COIN ACCEPTANCE

In order to maintain efficient operation of the office, the City of Staunton Treasurer's Office will not accept unrolled coins in excess of 100 coins on a given business day for any debts owed to the City by a citizen or business. Citizens making payments to the Treasurer's office in coin will be required to remain present during the completion of the transaction (i.e. until a receipt is presented). As for rolled coin, the Treasurer's Office will require proper identification to be placed on each roll (i.e. Name, Account number, etc., in which the payment is to be applied). A maximum of 20 rolls will be accepted on a given business day. Additionally, an affidavit of payment will be completed by the payer acknowledging responsibility for all identified shortages upon payment validation by the City's bank.