

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA
ORDINANCE NO. 2374

AN ORDINANCE OF AMENDING THE CODIFIED ORDINANCES THE MUNICIPALITY OF MONROEVILLE PROVIDING FOR THE IMPOSITION OF ATTORNEY'S FEES ON ALL DEBTS, CLAIMS, TAXES, ASSESSMENTS OR MUNICIPAL CHARGES OF ANY NATURE; PROVIDING FOR THE COLLECTION OF THE SAME IN THE SAME MANNER AS ALL MUNICIPAL CLAIMS; PROVIDING THAT SUCH EXPENSES MAY BE ASSESSED AND ADDED TO ALL MUNICIPAL CLAIMS AND CHARGES; PROVIDING A MECHANISM TO DETERMINE LEGAL FEES, COSTS AND EXPENSES.

WHEREAS, the Municipality of Monroeville has encountered considerable expense in collecting delinquent taxes, assessments, charges and other municipal claims; and

WHEREAS, the Municipality of Monroeville should not be burdened by additional charges since it is not equitable to taxpayers who promptly pay their taxes and municipal charges; and

WHEREAS, the Municipality of Monroeville deems it the best interest of the residents of the Municipality of Monroeville to impose costs of collection on all delinquent taxpayers; and

BE IT ORDAINED AND ENACTED by the Municipality of Monroeville in Council assembled as follows:

SECTION 1. This Ordinance shall be known as the Cost of Collections Ordinance.

SECTION 2. Hereinafter, for every delinquent claim, charge, tax assessment, levy or obligation owed to the Municipality of Monroeville, there shall be added to such claim, charge, tax, assessment, levy or obligation such attorney's fees, charges, and expenses incurred in the collection process subsequent to proper notification to taxpayers of the intent to impose attorney's fees on delinquent obligations. Such additional charges shall be collected in addition to such interest and penalties as are allowed by law. The additional charges shall further be collected in the same manner and with

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the full authority as other municipal claims of any nature, and shall be deemed to be a municipal claim for purposes of collection and obtaining a lien on property.

SECTION 3. Such fees shall be reasonable and the same are hereby established in a fee rate as attached hereto and made a part hereof as Schedule A. Said schedule of fees is hereby deemed to be reasonable, fair, and necessary in order to allow the Municipality of Monroeville to collect such amounts due. This schedule may be amended from time to time by Ordinance.

SECTION 4. Any person or entity empowered to collect amounts on behalf of the Municipality of Monroeville is directed to add such fees as are incurred to the extent allowed and set forth on Schedule A.

SECTION 5. Attorney fees incurred to the extent set forth on Schedule A shall be added to all unpaid municipal claims of any nature arising or imposed subsequent to the effective date of this Ordinance which become delinquent or are predetermined to be delinquent subsequent to the effective date of this Ordinance. Prior to the time when such fees are added to any underlying claim, the tax collector shall first give the taxpayer such notice as required by law. The tax collector or other collector shall so notify the taxpayer by sending such notice to the taxpayer's last known address by mailing notices in substantially the forms of notice as are attached as Exhibits B and C in accordance with the Statutes cited herein.

SECTION 6. All Ordinances or parts of Ordinances which are inconsistent with this Ordinance shall be superseded by this within Ordinance.

SECTION 7. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Commissioners that this Ordinance would have been

adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

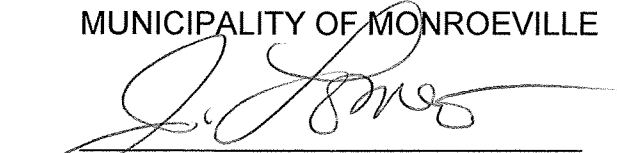
ORDAINED into law this 8th day of August, 2006.

ASSET:



Marshall Bond, Manager

MUNICIPALITY OF MONROEVILLE



James J. Lomeo, Mayor

ENTERED INTO LEGAL BOOK: August 18, 2006

SCHEDULE A

DELINQUENT TAX AND CLAIM ATTORNEY FEE SCHEDULE

All items are flat fees except item number 12 and number 20

1	Opening file and verifying data	\$135.00
2	Preparing and sending letter to taxpayer regarding payment	\$ 50.00
3	Correspondence per Pa. RCP Section 237.1	\$ 25.00
4	Preparing magistrate complaint and effectuating service of process.	\$ 75.00
5	Appearing at magistrate's hearing	\$250.00
6	Preparing arbitration complaint	\$150.00
7	Appearing at arbitration trial	\$350.00
8	Preparation of complaint in Common Pleas and effectuating service	\$175.00
9	Negotiation and preparation of payment plan agreements	\$ 25.00
10	Preparing and filing lien, letter to taxpayer, accounting for funds received.	
	Preparing and filing satisfaction of lien.	\$150.00
11	Preparing writ of scire facias sur tax lien in furtherance of sheriff sale of land	\$150.00
	Re-issuance of writ	\$ 25.00
12	Title search for sheriff sale.	Cost item to be paid to title searcher
13	Taking default judgment.	\$125.00
14	Issuance of writ of execution	\$750.00
15	Continuing Sheriff Sale	\$ 25.00
16	Processing NSF checks	\$ 25.00
17	Credit Check	\$ 25.00
18	Filing claim in Bankruptcy	\$ 25.00
19	Filing Petition to assess damages or attorney fees.	\$ 50.00
20	Attending Sheriff's Sale	\$400.00
21	Amending tax liens, trials, pleading for litigation or other legal work not itemized above.	
	Attorney - Hourly Rate - \$200.00	Non Attorney - Hourly Rate - \$60.00

THIRTY (30) DAY NOTICE
CERTIFIED MAIL, RETURN RECEIPT REQUESTED, POSTAGE PREPAID

TO: FULL NAME OF EACH TAXPAYER WITH ADDRESS

FROM THE MUNICIPALITY OF MONROEVILLE

TYPE(S) OF TAX/CLAIM: _____

YEARS INVOLVED: _____

THE PURPOSE OF THIS NOTICE IS TO APPRISE THE TAX PAYER(S) NAMED ABOVE THAT THE TAXES OR MUNICIPAL CLAIMS IDENTIFIED HEREIN ARE NOW DELINQUENT. IT IS THE INTENT OF THE MUNICIPALITY NAMED ABOVE TO IMPOSE ATTORNEY'S FEES ON YOU WHICH ARE INCURRED IN THE COLLECTION OF THE ABOVE TAX. A COPY OF THE ORDINANCE IMPOSING THOSE FEES WITH THE FEE SCHEDULE IS ATTACHED. THESE ATTORNEY'S FEES WILL BEGIN TO ACCRUE AFTER THIRTY (30) DAYS HAVE EXPIRED FROM THE DATE OF THIS NOTICE. YOU CAN AVOID THE IMPOSITION OF SUCH FEES BY PAYING THE DELINQUENT ACCOUNT WHICH IS IDENTIFIED ABOVE. TO DO SO, REMIT PAYMENT TO THE TAX COLLECTOR IDENTIFIED BELOW. A STATEMENT OF YOUR ACCOUNT IS ATTACHED TO THIS NOTICE.

NAME AND ADDRESS OF TAX COLLECTOR:

MONROEVILLE TAX OFFICE
2700 MONROEVILLE BLVD.
MONROEVILLE, PA 15146-2388

DATE OF THIS NOTICE: _____

SIGNATURE: _____

EXHIBIT B

TEN (10) DAY NOTICE
FIRST CLASS MAIL, POSTAGE PREPAID

TO: FULL NAME OF EACH TAXPAYER WITH ADDRESS:

FROM: THE MUNICIPALITY OF MONROEVILLE

TYPE(S) OF TAX/CLAIM: _____

YEARS INVOLVED: _____

THE PURPOSE OF THIS NOTICE IS TO APPRISE THE TAXPAYER(S) NAMED ABOVE THAT THE TAXES OR MUNICIPAL CLAIMS IDENTIFIED HEREIN ARE NOW DELINQUENT. IT IS THE INTENT OF THE MUNICIPALITY NAMED ABOVE TO IMPOSE ATTORNEY'S FEES ON YOU WHICH ARE INCURRED IN THE COLLECTION OF THE ABOVE TAX. A COPY OF THE ORDINANCE IMPOSING THOSE FEES WITH THE FEE SCHEDULE IS ATTACHED. THESE ATTORNEY'S FEES WILL BEGIN TO ACCRUE AFTER TEN (10) DAYS HAVE EXPIRED FROM THE DATE OF THIS NOTICE. YOU CAN AVOID THE IMPOSITION OF SUCH FEES BY PAYING THE DELINQUENT ACCOUNT WHICH IS IDENTIFIED ABOVE. TO DO SO REMIT PAYMENT TO THE TAX COLLECTOR IDENTIFIED BELOW. A STATEMENT OF YOUR ACCOUNT IS ATTACHED TO THIS NOTICE.

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MONROEVILLE TAX OFFICE
2700 MONROEVILLE BLVD.
MONROEVILLE, PA 15146-2388

DATE OF THIS NOTICE: _____

SIGNATURE: _____

EXHIBIT C

INSTRUCTIONS ON MAILING OF NOTICES

The form must be completed in full. All information, including the date of mailing, names, last known addresses, taxing entity, type of tax, years claimed and the amounts claimed must be accurate. A copy of the Cost of Collection Ordinance and the tax bill must be attached. The thirty day notice must be sent by Certified Mail. Attach the receipt to our copy of the notice. When the green card is returned, attach it to our copy. If the green card is not returned, or if the notice is returned undelivered for any reason, then send the ten day notice. It need not be sent by certified mail. Again the person who sends the notice must sign it to verify that it was properly addressed, mailed and the date of mailing. Our copies of the notices must be retained as proof of the mailing of the notices.