

**BOROUGH OF FRACKVILLE**  
**SCHUYLKILL COUNTY, PENNSYLVANIA**

ORDINANCE NO. 6-2010

AN ORDINANCE OF THE BOROUGH OF FRACKVILLE APPROVING COLLECTION PROCEDURES BY A THIRD-PARTY COLLECTOR AND ADOPTING PENALTY, INTEREST, AND A SCHEDULE OF ATTORNEY FEES TO BE ADDED TO THE AMOUNT COLLECTED AS PART OF THE REAL ESTATE TAXES AND MUNICIPAL CLAIMS FOR DELINQUENT ACCOUNTS

WHEREAS, to be fair to all taxpayers in the Borough, it is necessary for the Borough to recover promptly the amount of unpaid real estate taxes and municipal claims and, if necessary, by legal proceedings; and

WHEREAS, in the past the amount recovered in such proceedings has been depleted by the cost of reasonable attorney fees incurred by the Borough in the proceedings and, in the case of smaller claims, making enforcement not financially feasible; and

WHEREAS, the Municipal Claims and Tax Liens Act, 53 P.S. § 7101, et seq. (hereinafter "the Act"), authorizes the adding of additional attorney fees, charges, expenses, commissions, and fees to the total payable with respect to unpaid real estate taxes and municipal claims but only if the municipality involved has approved by ordinance a schedule of such fees; and

WHEREAS, the Borough has determined that it is in the best interest of all taxpayers and other residents to have vigorous enforcement of all delinquent and other unpaid charges utilizing the procedures set forth in the Act, except in the cases of serious hardship, which the Borough will address on a case-by-case basis pursuant to uniform policies; and

WHEREAS, the Borough has reviewed the subject of penalty, interest, and fees for collection matters and has determined that the fees set forth in the schedule hereby adopted are reasonable in amount for the services herein described.

**Section 6. Appointment of Solicitor to Sign Liens.** The Borough appoints Michelle R. Portnoff, Esquire, as Solicitor for the limited purpose of collecting delinquent real estate taxes and municipal claims and hereby authorizes her and attorneys under her supervision to sign any and all documents, including real estate tax claims and municipal claims on behalf of the Borough.

ENACTED AND ORDAINED into an ordinance this 11<sup>th</sup> day of August, 2010, by Council of the Borough of Frackville in lawful session duly assembled.

ATTEST:

Brenda Deeter  
Secretary

**BOROUGH OF FRACKVILLE**

By: [Signature]  
President, Borough Council

APPROVED:

[Signature]  
Mayor