

**PENN LAKE PARK BOROUGH
ORDINANCE NO.: 1 of 2024**

**AN ORDINANCE OF THE BOROUGH OF PENN LAKE PARK, LUZERNE COUNTY,
PENNSYLVANIA AUTHORIZING THE COLLECTION OF ATTORNEY FEES
PURSUANT TO 53 P.S. § 7106**

WHEREAS, it is necessary and prudent for the Borough of Penn Lake Park (“Borough”) to recover promptly its levied and unpaid delinquent municipal claims, municipal liens, tax, tax claims and tax liens and, if necessary, to accomplish such recovery through legal proceedings; and

WHEREAS, the Municipal Claims and Tax Liens Act, 53 P.S. § 7101 et seq. (“MCTLA”) authorizes the addition of interest, costs, charges, expenses and fees, including reasonable attorney fees, to the total payable with respect to the delinquent municipal claims, municipal liens, tax, tax claims and tax liens; and

WHEREAS, the Borough has determined that it is in the best interest of all taxpayers and residents of the Borough to enforce the payment of delinquent municipal claims, municipal liens, tax, tax claims and tax liens; and

WHEREAS, the Borough has determined that the addition of interest, costs, charges, expenses and fees, including attorneys’ fees, to the total payable with respect to delinquent municipal claims, municipal liens, tax, tax claims and tax liens is reasonable and just;

NOW, THEREFORE, BE IT ORDAINED BY a majority vote of the Borough Council that the following Ordinance is hereby adopted:

SECTION 1

Pursuant to § 7106 of the Municipal Claims and Tax Liens Act, 53 P.S. § 7101 et seq., it is hereby established that the reasonable charges, expenses and fees incurred in the collection of any delinquent municipal claims, municipal liens, tax, tax claims and tax liens under the MCTLA are hereby fixed at five percent (5%) of the total amount of the delinquent municipal claims, municipal liens, tax, tax claims and tax liens, plus the amount of the filing fees and court costs paid by the Borough to commence such action, plus \$175.00 per hour in attorneys fees. Such amount shall be added onto the amount of the lien.

SECTION 2

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as

it remains legally enforceable minus the invalid portion. The Borough reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 3

This Ordinance shall become effective immediately upon approval.

SECTION 4

This Ordinance is enacted by the Borough under the authority of the Pennsylvania Borough Code, 8 Pa.C.S. § 101 et seq., and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

Duly Enacted and Ordained this _____ day of _____, 2024, by the Borough Council of Penn Lake Park of the Borough of Penn Lake Park, Luzerne County Pennsylvania, in lawful session duly assembled.

President

Vice President

Council Member

Council Member

Council Member

APPROVED BY:

Mayor

ATTEST:

Secretary

Penn Lake Park Borough- Ordinance to amend Ordinance #1 of 2003, as amended by Ordinance #4 of 2006 “The Penn Lake Park Borough Sewer Connection Hook Up Ordinance”

ORDINANCE NO. 2024 - # 2

Enacted Date: October 10, 2024

Effective Date: January 1, 2025

Be it enacted and ordained as follow:

Ordinance #1 of 2003 section 4.02 reads:

"The Connection Assessment hereafter payable by the Owner of an Improved Property shall be the sum of \$3,500 if paid within forty-five (45) days after the date the bill is mailed. If paid thereafter, the Connection Assessment then due shall be \$4,000.00."

Ordinance #4 of 2006 amended section 4.02 of Ordinance #1 of 2003 to read:

"The Connection Assessment hereafter payable by the Owner of an Improved Property shall be the sum of \$11,300.00 payable at the time of the issuance of the Connection Permit as set forth above in Article III. Said cost shall cover the construction cost and provision of all materials, including an initial Grinder Pump for the Sewer System for the improved property, said construction of the Sewer System and Lateral to the Grinder Pump shall be born by the Borough upon payment of this Connection Assessment."

This ordinance #2 of 2024 hereby amends section 4.02 to read:

"The Connection Assessment hereafter payable by the Owner of an Improved Property shall be the sum of \$16,300.00(?) payable at the time of the issuance of the Connection Permit as set forth above in Article III. Said cost shall cover the construction cost and provision of all materials, including an initial Grinder Pump for the Sewer System for the improved property, said construction of the Sewer System and Lateral to the Grinder Pump shall be born by the Borough upon payment of this Connection Assessment."

PENN LAKE PARK BOROUGH COUNCIL:

PRESIDENT

VICE PRESIDENT

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

APPROVED BY:

MAYOR

ATTEST:

Secretary