

OFFICIAL

**TOWNSHIP OF JACKSON  
ORDINANCE NO. 22-06**

AN ORDINANCE OF THE TOWNSHIP OF JACKSON, BUTLER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 24 OF THE JACKSON TOWNSHIP CODE OF ORDINANCES, TAXATION, TO ESTABLISH THE JACKSON TOWNSHIP DELINQUENT TAX AND MUNICIPAL CLAIM COLLECTION COSTS ORDINANCE FOR THE COLLECTION OF DELINQUENT TAXES, ASSESSMENTS, MUNICIPAL CLAIMS AND LIENS.

WHEREAS, the Pennsylvania Municipal Claims and Tax Liens Law, 53 P.S. §7101 *et seq.*, as amended, (the "MCTLL") authorizes the Township to add reasonable attorney fees, charges, and expenses incurred in the collection of delinquent accounts, claims and liens to any unpaid, delinquent tax account, assessments, municipal claim or lien; and

WHEREAS, the Township anticipates considerable expenses in collecting delinquent taxes, assessments, municipal claims, and liens and, in order to encourage and facilitate the collection of delinquent taxes, assessments, municipal claims, and liens and to eliminate the expense associated with collection, the Township Board of Supervisors desires to exercise all of the Township's legal authority by imposing reasonable costs on the taxpayers of delinquent taxes, assessments, municipal claims, and liens in accordance with the MCTLL and any other applicable law; and

WHEREAS, the Township Board of Supervisors desires to amend Chapter 24 of the Jackson Township Code of Ordinances, Taxation, as amended, to insert a new Part 8 in order to impose and establish reasonable costs of collection for the delinquent taxes, assessments, municipal claims, and liens

NOW, THEREFORE, the Board of Supervisors of the Township of Jackson hereby ordains and enacts as follows, incorporating the above recitals by reference:

**Section 1.** Chapter 24 of the Jackson Township Code of Ordinances, Taxation, is hereby amended by inserting a new Part 8 as follows:

**Part 8  
Delinquent Tax and Municipal Claim Collection Costs**

**§24-801. Title.**

This Part shall be known and may be cited as the Jackson Township Delinquent Tax and Municipal Claim Collection Costs Ordinance.

**§24-802. Delinquent Taxes, Assessments, Municipal Claims and Liens.**

1. This section shall apply to all delinquent taxes, assessments, municipal claims, and liens whose enforcement and collection procedures are not expressly set forth in Parts 1 through 7 of Chapter 24 of the Jackson Township Code of Ordinances, and which shall be referred to in this section as the “delinquent claim or lien.”
2. From and after the enactment of Ordinance No. 22-06 on December 15, 2022, there shall be added to each delinquent claim or lien such attorneys' fees, charges, and expenses incurred during the delinquent collection process, which shall be referred to in this section as the “collection costs.” Pursuant to the Pennsylvania Municipal Claims and Tax Liens Act, 53 P.S. § 7101 et seq., as amended, the Township sets the interest rate applicable to each delinquent claim or lien at a rate of 10% per annum. In addition to the applicable delinquent claim or lien, the collection costs shall be collected along with the aforementioned interest and the maximum penalties permitted to be imposed by the Township by applicable laws.
3. The collection costs are hereby established in the cost rate schedule set forth in Table 24-8-1 of this Chapter. The collection costs referenced in Table 24-8-1 are deemed to be reasonable, fair and necessary in order to allow the Township to collect such sums due.
4. The Township Solicitor or any other designated collector empowered and authorized to collect the delinquent claim or lien on behalf of the Township is directed to impose the collection costs. Such entity shall be entitled the collection costs as permitted by an executed agreement with the Township. The collection costs collected pursuant to this section shall be in addition to any tax penalty, interest or other costs already part of the subject delinquent account or assessment. The Township shall be entitled to any tax penalty or interest.
5. Attorney fees incurred to the extent set forth on Table 24-8-1 shall be added to all unpaid delinquent claims or liens of any nature arising or imposed subsequent to the enactment of Ordinance No. 22-06 on December 15, 2022, or which become delinquent or are redetermined to be delinquent subsequent to such date. Prior to the time when such fees are added to any underlying claim, the Township Solicitor or other designated collector shall first give the taxpayer such notice as required by law. The Township Solicitor or other designated collector shall so notify the taxpayer by sending the notice to the taxpayer's last known address by mailing notices in the manner prescribed by the Pennsylvania Municipal Claims and Tax Liens Act, 53 P.S. § 7101 et seq., as amended.
6. If any portion of this section is deemed by a court of competent jurisdiction to be void, unenforceable or unconstitutional, then it is the intent of the Board of Supervisors that it would have enacted the balance of this section irrespective of said invalid portion.

**Table 24-8-1**

**Collection Costs for All Other Delinquent Taxes, Assessments, Municipal Claims, and Liens**

<b>Non-Litigation Legal Work:</b>	
1. Attorney	\$190.00/hr.
2. Paralegal/Law Clerk	\$100.00/hr.
<b>Litigation Legal Work:</b>	
1. Attorney	\$190.00/hr.
2. Paralegal/Law Clerk	\$100.00/hr.
<b>Miscellaneous:</b>	
1. Filing Fees and Court Costs	Actual cost.
2. Title Search	Actual cost.
3. Postage	Actual cost.
4. All other Necessary Expenses	Actual cost.

**Section 2.** It is the intention of the Township that the chapters, parts, sections, subsections, paragraphs, sentences and/or phrases of this Ordinance are severable. If any chapter, part, section, subsection, paragraph, sentence, or phrase of this Ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or the validity of any remaining chapters, parts, sections, subsections, paragraphs, sentences, or phrases of this Ordinance.

**Section 3.** All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

**Section 4.** This Ordinance shall take effect in accordance with applicable law.

**ORDAINED and ENACTED** this 15<sup>th</sup> day of December 2022, by the Board of Supervisors of the Township of Jackson in lawful session duly assembled.

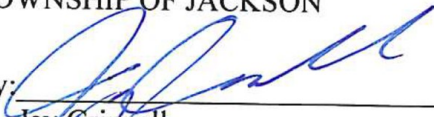
ATTEST:

  
 Chris Rearick  
 Township Manager/Secretary

(SEAL)



TOWNSHIP OF JACKSON

By:   
 Jay Grinnell  
 Chairman, Board of Supervisors