



# BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



## RESOLUTION #24-33

RESOLUTION OF THE BOROUGH OF TARENTUM, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING REASONABLE ATTORNEY'S COSTS OF COLLECTION FOR DELINQUENT REAL ESTATE TAX AND DELINQUENT MUNICIPAL CLAIMS AND IMPOSING THE COST OF SUCH COLLECTION UPON THE DELINQUENT TAXPAYER UNDER ACT 20.

**WHEREAS**, the Borough of Tarentum ("Borough") has encountered considerable expense in collecting its delinquent taxes, assessment charges and other municipal claims; and

**WHEREAS**, the Borough must reasonably provide services to those taxpayers who promptly pay their taxes and municipal charges; and

**WHEREAS**, the Borough deems it to be in the best interest of the citizens of the Borough to impose the cost of delinquent collections directly upon the delinquent taxpayer; and

**WHEREAS**, this Resolution is enacted pursuant to the Municipal Claims and Tax Lien Law.

**NOW, THEREFORE**, it is hereby resolved that the Borough of Tarentum hereby establishes the following:

- 1) This Resolution shall be known as the Municipal Claim and Tax Collection Resolution.
- 2) Hereinafter, for every delinquent claim, charge, tax, assessment, levy or obligation owed to Borough, there shall be added to such claim, charge, tax, assessment, levy or obligation such charges, expenses, and attorneys' fees incurred in the collection process. Such additional charges shall be collected in addition to such interest and penalties as are allowed by law. They shall further be collected in the same manner and with the full authority as other municipal claims of any nature, and shall be deemed to be a municipal claim and collectable and lienable as such. Service charges including delinquent account service fees are specifically authorized to be added to the claim, charge, tax assessment, levy or obligation without prior notice to the delinquent taxpayer. Attorneys' fees shall be added to the claim, charge, tax assessment, levy or obligation subsequent to proper notification to taxpayers of the intent to impose attorney's fees on delinquent obligations in accordance with Act 20.
- 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 Borough to collect such sums due it. This schedule may be amended by Resolution.
- 4) Any person or entity empowered to collect sums on behalf of the Borough is directed to add such fees as are incurred to the extent allowed and set forth on Schedule "A". Such sums collected pursuant to this Resolution shall be in addition to any tax, penalty, interest, costs or fees already part of the delinquent account or assessment.



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5) Attorney fees incurred to the extent set forth on Schedule "A" shall be added to all unpaid real estate tax claims or municipal claims of any nature arising or imposed subsequent to the date of adoption of this Resolution, or which become delinquent or are re-determined to be delinquent subsequent to this date. 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 the manner prescribed by the Act of the Pennsylvania General Assembly, known as Act 20 of 2003.

6) Any Resolution in conflict with this Resolution shall be deemed to have been repealed to the extent of the conflict. If any portion of this Resolution or Schedule is deemed to be illegal or unconstitutional, then it is the intent of Council that it would have enacted the balance of this Resolution and Schedule irrespective of said invalid portion.

7) This Resolution shall become effective immediately.

**RESOLVED and ENACTED** this 10<sup>th</sup> day of December 2024.

ATTEST:

BOROUGH OF TARENTUM

\_\_\_\_\_  
Dwight D. Boddorf, Borough Manager

\_\_\_\_\_  
Scott Dadowski, President of Council

EXAMINED AND APPROVED by me this 10th day of December 2024

\_\_\_\_\_  
Bob Lang, Mayor

I, the undersigned, duly qualified Secretary of the Borough of Tarentum, Allegheny County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Borough of Tarentum at a regular meeting held on the 10th day of December 2024. Said Resolution has been recorded in the Minutes of the Borough of Tarentum and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Borough of Tarentum, this 10th day of December 2024

\_\_\_\_\_  
Dwight D. Boddorf, Borough Manager



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## SCHEDULE OF MUNICIPAL CLAIM RECOVERY COSTS

### ATTORNEY FEES AND SERVICE CHARGES

#### I. Account Management:

- 1) Delinquent account servicing fee, including records imaging and detailed recordkeeping, office staffing, computer equipment and software, office space, telephone, printing and imaging equipment, and supplies used to generate delinquent notices and to establish monthly payment plan—10% of tax, penalty and interest due.

#### II. Certified Notice and Civil Litigation:

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|---|----------|
| 2) Prepare and mail Thirty-day Delinquent Notice. | \$50.00  |
| 3) Prepare and mail Legal Demand Letter           | \$50.00  |
| 4) Prepare and mail Lien Letter                   | \$50.00  |
| 5) File Municipal Claim                           | \$150.00 |
| 6) Prepare District Judge Complaint.              | \$75.00  |
| 7) Preparation of District Judge Hearing          | \$150.00 |
| 8) Docketed District Judge Hearing                | \$100.00 |

#### III. Appeals, Arbitration and Sheriff Sale:

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| 9) Scheduled or posted Constable execution sale.                                     | \$350.00 |
| 10) Prepare Arbitration complaint.   | \$150.00 |
| 11) Prepare General Docket Proceeding.   | \$375.00 |
| 12) Trial, arbitration or mediation.   | \$350.00 |
| 13) Negotiate and prepare subsequent payment plan agreement.                         | \$75.00  |
| 14) Prepare Writ of Scire Facias Sur tax lien in furtherance<br>of Sheriff Tax Sale. | \$600.00 |
| 15) Federal Tax Lien Notification and Judgment                                       | \$200.00 |
| 16) Sheriff Sale Claim Notice  | \$50.00  |
| 17) Prepare Reissue Writ.  | \$125.00 |
| 18) Title search for Sheriff sale.   | \$250.00 |
| 19) Title search bring down  | \$50.00  |
| 20) Enter default judgment.  | \$225.00 |



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21)	Issue Writ of Execution in Sheriff Sale.	\$700.00
22)	Sheriff Sale/Trial Postponement	\$100.00
23)	Scheduled or posted Sheriff Sale.	\$500.00
24)	Obtain Free and Clear Order	\$200.00
<b>IV. Miscellaneous:</b>		
25)	Paralegal/Law Clerk Rate	\$100.00/hr
26)	Attorney Rate	\$150.00/hr
27)	All other clerical work not itemized above.	\$50.00/hr
28)	Special search for defendant locale	\$100.00
29)	Motion for Alternate Service	\$200.00
30)	Filing Bankruptcy/Estate Claims	\$75.00
31)	Partial payment fee – where payment received does not pay account in full.	\$3.00
32)	Fee for check returned from bank (NSF, Acct. Closed, etc).	\$29.00

Schedule "A"