

**BOROUGH OF ALBURTIS  
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 457

(Duly Adopted February 14, 2007)

AN ORDINANCE AUTHORIZING THE PROCEDURES UNDER SUBSECTIONS (a), (b), (c), AND (d) OF THE FIRE INSURANCE ESCROW ACT, 40 PA. STAT. ANN. § 638 (RELATING TO PROCEDURES FOR PAYMENT TO A MUNICIPALITY OF DELINQUENT TAXES, ASSESSMENTS, PENALTIES, AND USER CHARGES AGAINST A PROPERTY, AND COSTS INCURRED BY A MUNICIPALITY FOR THE REMOVAL, REPAIR, OR SECURING OF A BUILDING OR OTHER STRUCTURE ON A PROPERTY, FROM INSURERS COVERING FIRE LOSS CLAIMS; AND RELATING TO PROCEDURES FOR PAYMENT OF CERTAIN FIRE LOSS INSURANCE PROCEEDS TO A MUNICIPALITY TO HOLD AS SECURITY AGAINST THE TOTAL COST OF REMOVING, REPAIRING, OR SECURING A BUILDING OR OTHER STRUCTURE WHICH MAY BE INCURRED BY THE MUNICIPALITY, AND FOR THE DISPOSITION OF THE SECURITY); DESIGNATING THE EXECUTIVE SECRETARY AS THE OFFICER AUTHORIZED TO CARRY OUT THE BOROUGH'S DUTIES UNDER THAT STATUTE; AND DIRECTING THAT A COPY OF THIS ORDINANCE AND INFORMATION ABOUT THE DESIGNATED OFFICER BE FILED WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

**WHEREAS**, the Borough Council of the Borough of Alburdis desires to obtain the benefits provided under 40 PA. STAT. ANN. § 638 to municipalities which authorize the procedures of that statute;

**NOW, THEREFORE**, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburdis, Lehigh County, Pennsylvania, that the Codified Ordinances are hereby amended by adding the following new Chapter 38:

## **Chapter 38 — Fire Loss Claims**

### **Article I — In General**

#### **§ 38-101 Short Title.**

This Chapter shall be known, and may be cited, as the “Borough of Alburdis Fire Loss Claims Ordinance.”

#### **§ 38-102 Definition.**

For purposes of this Chapter, the term “Fire Insurance Escrow Act” means section 508 of the Insurance Company Law of 1921, Act of May 21, 1921 (Pa. Laws 682, No. 284), as added by the Act of July 9, 1992 (Pa. Laws 678, No. 98), and amended by the Act of October 13, 1994 (Pa. Laws. 609, No. 93), 40 PA. STAT. ANN. § 638, as such section may be amended and/or renumbered from time to time in the future, or any corresponding provision of any future legislation that amends, supplements or supersedes that section.

#### **§ 38-103 Authorization to Receive Payments from Fire Insurance for Delinquent Borough Taxes and Other Charges, and for Costs Incurred by Borough for Removal or Repair.**

The Borough hereby authorizes the procedure set forth in subsections (a) and (b) of the Fire Insurance Escrow Act (relating to procedures for payment to a municipality of delinquent taxes, assessments, penalties, and user charges against a property, and costs incurred by a municipality for the removal, repair, or securing of a building or other structure on a property, from insurers covering fire loss claims).

#### **§ 38-104 Authorization to Receive Payments from Fire Insurance to Hold as Security for Costs Incurred by Borough for Removal or Repair.**

The Borough hereby authorizes the procedure set forth in subsections (c) and (d) of the Fire Insurance Escrow Act (relating to procedures for payment of certain fire loss insurance proceeds to a municipality to

hold as security against the total cost of removing, repairing, or securing a building or other structure which may be incurred by the municipality, and for the disposition of the security).

**§ 38-105 Designated Officer.**

The Borough hereby designates the Executive Secretary as the officer authorized to carry out the Borough's duties under the Fire Insurance Escrow Act.

**§ 38-106 Filing With Pennsylvania Department of Community and Economic Development.**

On or before February 28, 2007, the Executive Secretary shall file an exact copy of Ordinance 457 with the Pennsylvania Department of Community and Economic Development, together with a statement that the municipal official responsible for compliance with the Fire Insurance Escrow Act is:

Melanie Hansen, Executive Secretary  
Borough of Alburdis, Lehigh County, Pennsylvania  
610-966-4777

**DULY ORDAINED** and **ENACTED** by the Borough Council of the Borough of Al-  
burtis, this 14<sup>th</sup> day of February, 2007, in lawful session duly assembled.

**BOROUGH COUNCIL  
BOROUGH OF ALBURTIS**

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Steven R. Hill, President

Attest:

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Melanie Hansen, Executive Secretary

**AND NOW**, this 14<sup>th</sup> day of February, 2007, the above Ordinance is hereby  
APPROVED.

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Russell J. Afflerbach, Mayor