

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 334

(Duly Adopted May 29, 1996)

**AN ORDINANCE ADOPTING THE SCHEDULE OF FEES
FOR ATTORNEY FEES IMPOSED AS PART OF A
MUNICIPAL LIEN AND CLAIM.**

WHEREAS, the General Assembly recently enacted, and the Governor approved, Act No. 1 of 1996, which has amended the Municipal Claim and Tax Lien Law, Act of May 16, 1923, Pa. Laws 207, No. 153, as amended, 53 PA. STAT. ANN. § 7101 *et seq.*, with respect to the authorization to add attorney fees to the amount of municipal liens and claims and the amount of fees to be so added; and

WHEREAS, under Act No. 1, a municipality must adopt a schedule of attorney fees in order to collect such fees as part of a municipal lien and claim; and

WHEREAS, Borough Council desires to adopt such a schedule;

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, as follows:

SECTION 1. In any situation in which the Borough of Alburtis seeks to assess or impose attorney fees in connection with the collection of a delinquent account and the filing and prosecution of a municipal claim and lien, the Borough shall first comply with the procedures set forth in section 3(a.2) of the Municipal Claim and Tax Lien Law, Act of May 16, 1923, Pa. Laws 207, No. 153, as amended, 53 PA. STAT. ANN. § 7106(a.2).

SECTION 2. The Borough Solicitor is hereby authorized and directed to include a claim for attorney fees in all municipal claims and liens filed on behalf of the Borough of Alburtis under the Municipal Claim and Tax Lien Law, Act of May 16, 1923, Pa.

Laws 207, No. 153, as amended, 53 PA. STAT. ANN. § 7101 *et seq.*, to the extent permitted by law.

SECTION 3. The official Borough schedule of attorney fees within the meaning of Section 3(a.1) of the Municipal Claim and Tax Lien Law, Act of May 16, 1923, Pa. Laws 207, No. 153, as amended, 53 PA. STAT. ANN. § 7106(a.1), is as follows: Eighty Dollars (\$80.00) for each hour expended in the collection of the claim, whether before the filing of a municipal claim, in connection with the filing of a municipal claim, in prosecuting the municipal claim to final judgment, in connection with the execution of judgment, or otherwise.

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburdis, this 29th day of May, 1996, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURDIS

Steven R. Hill, President

Attest:

Louise Stahley, Secretary

AND NOW, this 29th day of May, 1996, the above Ordinance is hereby APPROVED.

Ronald J. DeIaco, Mayor