

**SOUTH LONDONDERRY TOWNSHIP MUNICIPAL AUTHORITY  
LEBANON COUNTY, PENNSYLVANIA  
RESOLUTION NO.01-2017**

**A RESOLUTION APPROVING COLLECTION PROCEDURES AND  
ADOPTING A SCHEDULE OF ATTORNEY FEES, COSTS AND INTEREST TO  
BE ADDED TO THE AMOUNT COLLECTED AS PART OF MUNICIPAL  
CLAIMS FOR DELINQUENT SANITARY SEWER ACCOUNT.**

WHEREAS, to be fair to all rate payers of the South Londonderry Township Municipal Authority (the Authority) it is necessary to recover promptly the amount of delinquent sewer charges, and if necessary through legal processing; and

WHEREAS, in the past the amount recovered in such proceedings has been depleted by the cost of reasonable attorney fees incurred by the Authority in the proceedings, thereby making, in the case of small claims, enforcement not financially feasible; and

WHEREAS, the General assembly of Pennsylvania has recently enacted, as an amendment to the Municipal Claims Act, Act No. 1 of 1996 (the "Act"), which authorizes the adding of the amount of reasonable attorney fees and costs to the total payable with respect to unpaid taxes and other municipal claims, but only if the municipality involved has approved by resolution a schedule of reasonable attorney fees; and

WHEREAS, the Authority has determined that it is in the best interest of all the rate payers to have vigorous enforcement of all delinquent and other unpaid charges (the "Accounts"), utilizing the procedures set forth in the Act; and

WHEREAS, the Authority has reviewed the subject of attorney fees for collection matters, and has determined that the fees set forth in the schedule hereby adopted are reasonable in amount for the services herein described; and

WHEREAS, the Authority has entered into an agreement with the Pennsylvania American Water Company to have the Company discontinue water service to delinquent sewer customers wherein the Authority may have to pay the Company fees and costs of lost revenue to the Company.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Board of South Londonderry Municipal Authority to be effective January 1, 2018 as follows:

1. If payment has not been received by the Authority or its agent by the due date, an interest charge of one and one-half percent (1 ½%) per month after the due date shall be added to the entire bill.
2. The proper officials of the Authority are authorized to request the Pennsylvania Water Company to discontinue service to any customer who is delinquent in payment of their sewer bills after due notice as hereinafter set forth.

3. Schedule of Fees.

- (a) The Authority hereby approves the following schedule of attorney fees for services in connection with the collection of Accounts, which is hereby determined to be fair and reasonable compensation for the services set forth below, all in accordance with the principals set forth in Section 3 (a.1) of the Municipal Claims Law as amended by the Act:

Lien Filing Fees and Costs	\$ 54.00
Attorney Fees Re: Review of file and filing Lien	\$ 150.00
Cost of water shutoff	\$ 30.00
Estimated lost revenue to water company	\$100.00/quarter
Administrative Fee	\$ 50.00
Cost to turn water on	\$ 30.00
Attorney fees incurred by Authority for further legal action	\$175.00/per hour plus costs

- (b) The amount of fees determined, as set forth above shall be added to the Authority's claim in each account.

4. Collection Procedures. The following collection procedures are hereby established in accordance with the Act:

- (a) At least thirty (30) days prior to assessing or imposing attorney fees in connection with the collection of an Account, the Authority shall mail or cause to be mailed, by certified mail, return receipt requested, a notice of such intention to the rate payer or other entity liable for the Account (the "Account Debtor").

- (b) If within thirty (30) days after mailing the notice in accordance with subsection (a), the certified mail to an Account Debtor is refused or unclaimed or the return receipt is not received, then at least ten (10) days

prior to the assessing or imposing such attorney fees, the Authority shall mail or cause to be mailed, by first class mail, a second notice to such Account Debtor.

(c) All notices required by this Resolution shall be mailed to the Account Debtor's last known post office address as recorded in the records or other information of the Authority, or such other address as it may be able to obtain from the County Office of Assessment and Revision of Taxes.

(d) Each notice as described above shall include the following:

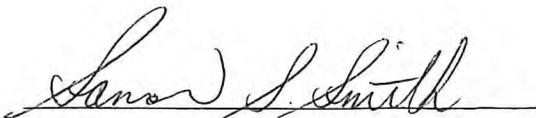
- (i) The type of tax or other charge, the date it became due and the amount owed, including penalty and interest;
- (ii) A statement of the Authority's intent to impose or assess attorney fees within thirty (30) days after the mailing of the first notice, or within ten (10) days after the mailing of the second notice;
- (iii) The manner in which the assessment or imposition of attorney fees may be avoided by payment of the Account; and
- (iv) The place of payment for the Accounts and the name and telephone number of the Authority official as designated as responsible for the collection matter.

5. Related Action. The proper officials of the Authority are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Resolution.

DULY ADOPTED by the South Londonderry Township Municipal Authority on this 7th day of September, 2017.

ATTEST:

SOUTH LONDONDERRY TOWNSHIP  
MUNICIPAL AUTHORITY

 (SEAL)  
South Londonderry Township  
Municipal Authority

