

ORDINANCE NO. 545

**TOWNSHIP OF EAST NORRITON
MONTGOMERY COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF EAST NORRITON, MONTGOMERY
COUNTY, PENNSYLVANIA, APPOINTING THE TAX CLAIM BUREAU OF
MONTGOMERY COUNTY AS ALTERNATIVE COLLECTOR AND APPROVING
PENALTY, INTEREST AND FEE SCHEDULE FOR COLLECTION OF DELINQUENT
REAL ESTATE TAXES:**

WHEREAS, it is necessary and prudent for East Norriton Township to recover promptly its levied and unpaid delinquent real estate taxes, and if necessary, to accomplish such recovery through legal proceedings; and

WHEREAS, the Municipal Claims and Tax Liens Act, 53 P.S. §7101, *et seq.* (the "MCTLA"), authorizes the addition of interest, costs, charges, expenses and fees, including reasonable attorney's fees, to the total payable with respect to unpaid taxes; and

WHEREAS, the Board of Supervisors has determined that it is in the best interest of all taxpayers and residents to enforce the payment of delinquent real estate taxes; and

WHEREAS, the Board of Supervisors has determined that the addition of interest, costs, charges, expenses and fees to the total payable with respect to unpaid taxes is reasonable and just; and

WHEREAS, the Montgomery County Board of Commissioners has determined that a 5% rate for such additional charges is reasonable.

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors that the following Ordinance is hereby adopted:

SECTION I. PENALTY, INTEREST AND FEE SCHEDULE

1. In addition to the authorization for the collection of taxes and institution of tax sales authorized by the Real Estate Tax Sales Law ("RETSL"), 72 P.S. §5860.201 *et seq.*, the Montgomery County Tax Claim Bureau is appointed as alternative collector and is authorized and directed to file liens for existing delinquent real estate taxes with the Prothonotary of Montgomery County in accordance with the provisions of the Municipal Claims and Tax Liens Act, 53 P.S. §7101, *et seq.*;

2. In accordance with the MCTLA and RETSL, interest shall be charged on taxes so returned from and after but not before the first day of the month following the return. Interest shall be charged at the rate of nine per centum (9%) per annum;

3. Pursuant to Section 7106 of the MCTLA, it is hereby established that the reasonable charges, expenses and fees incurred in the collection of any delinquent

account under the MCTLA are hereby fixed at five percent (5%) of the total amount of the delinquent taxes (including interest and penalties), and that additional reasonable attorney's fees incurred in the collection of any delinquent taxes shall be fixed at one percent (1%) of the total amount of the delinquent taxes (including interest and penalties), and that said charges for attorney's fees and for all charges, expenses and fees set forth herein, shall be paid to the County of Montgomery through the Montgomery County Tax Claim Bureau in lieu of payment of commission pursuant to Section 207 of RETSL;

4. The proper officials of East Norriton Township and Montgomery County are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Ordinance.

SECTION II. SEVERABILITY

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Township reserves the right to amend this Ordinance or any portion thereof from time to time as the Board of Supervisors shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION III. REPEALER

All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective at the earliest possible date permitted by the provisions of the East Norriton Code.

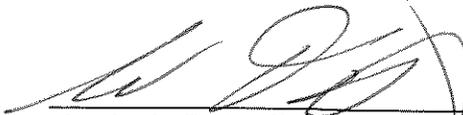
DULY ORDAINED and ENACTED by the Board of Supervisors of the Township of East Norriton this 11th day of December, 2012.

ATTEST:




Donald D. Delamater, Secretary

EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS


Harris A. Dainoff, Vice-Chairman