

CITY OF JEANNETTE

Westmoreland County, Pennsylvania

BILL NO. 05-03

ORDINANCE NO. 05-03

**AN ORDINANCE OF THE CITY OF JEANNETTE,
WESTMORELAND COUNTY, PENNSYLVANIA AMENDING
ORDINANCE NO. 01-5 REGARDING COLLECTION
PROCEDURES FOR DELINQUENT GARBAGE ACCOUNTS**

WHEREAS, on October 10, 2001, the Council of the City of Jeannette adopted Ordinance No. 01-05:

“AN ORDINANCE OF THE CITY OF JEANNETTE APPROVING COLLECTION PROCEDURES AND ADOPTING A SCHEDULE OF ATTORNEYS FEES TO BE ADDED TO THE AMOUNT COLLECTED AS PART OF MUNICIPAL CLAIMS FOR DELINQUENT ACCOUNTS”; and

WHEREAS, as part of that Ordinance, the City approved a “Statement of Collection Policies” for delinquent unpaid user charges and other items covered by the Municipal Claims Act, such Statement of Collection Policies being attached thereto and marked Exhibit “A”; and

WHEREAS, the Council of the City of Jeannette desires to amend the Statement of Collection Policies to facilitate collection of delinquent residential and commercial garbage accounts and to make provisions for further amendments thereafter by Resolution.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE CITY OF JEANNETTE HEREBY ORDAINS AND ENACTS AS FOLLOWS:

1. Paragraphs 1(a), 1(b) and 1(c) of Exhibit “A”, as referenced in Paragraph 1 of Ordinance No. 01-05 is hereby amended to read as follows:

“With respect to the collection of unpaid charges for the collection of garbage, rubbish or other municipal services, the following practices are approved:

a. DELINQUENT RESIDENTIAL GARBAGE ACCOUNTS:

All notices referenced in Ordinance No. 01-05 may be sent, and Municipal Claims may be filed against properties whose residential garbage collection service accounts are

more than one (1) year delinquent. For purposes of this Paragraph, one (1) year shall mean any four (4) quarters or two (2) billing periods, regardless of whether they are consecutive or nonconsecutive.

b. DELINQUENT COMMERCIAL GARBAGE ACCOUNTS:

All Notices under Ordinance No. 01-05 may be sent and Municipal Claims may be filed against properties whose commercial garbage service accounts are delinquent for any three (3) monthly billing periods (either consecutive or nonconsecutive) or are delinquent in an amount in excess of \$100.00.

c. Execution on any Municipal Claim referenced in paragraph (a) or (b) above shall be at the discretion of the Council of the City of Jeannette. The City Treasurer of the City of Jeannette is authorized to establish reasonable payment plans on any delinquent, residential or commercial garbage account, provided, however, that holder of such account executes a written agreement with the City containing at least the following provisions:

- (i) That all delinquent amounts due and owing shall be paid over a period not exceeding SIX (6) months; and
- (ii) That any new, current or future charges on such account, accruing after the period of delinquency, shall be kept current and be paid in addition to the amounts payable on the delinquency; and
- (iii) That the delinquent account holder waives any further notices of modifications of amounts due and owing on the existing delinquent account by virtue of such partial payments in the event legal proceedings were initiated to collect such delinquency; and
- (iv) Such account holder agrees to incorporate any and all delinquent, future and/or current charges, incurred after the date of such agreement, into any Municipal Claim or other pending legal action initiated by the City for the collection of such delinquent garbage account pursuant to the terms of Ordinance No. 01-05.

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2. Ordinance No. 01-05 is hereby amended to add the following Paragraph No. 7:

**“7. MODIFICATION OF COLLECTION POLICIES AND
SCHEDULE OF FEES:**

The Statement of Collection Policies attached to this Ordinance as Exhibit “A” may be amended from time to time by Council of the City of Jeannette by Resolution duly adopted hereafter. The Schedule of Fees set forth in Paragraph 2 of Ordinance No. 01-05, may be amended from time to time by Council of the City of Jeannette by Resolution, duly adopted hereafter.

3. All other provisions of Ordinance No. 01-05 not otherwise affected by this amendment shall continue in full force and in effect.


THIS ORDINANCE IS DULY ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, AT A PUBLIC MEETING HELD THE _____ DAY OF _____, 2005, AND SHALL TAKE EFFECT IMMEDIATELY.

ATTEST:

THE CITY OF JEANNETTE
BY:



Ronald E. Dinsmore, City Clerk



Michael T. Cafasso, Mayor and
President of Council