

LOWER MOUNT BETHEL TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE 2011-02

"POST-JUDGMENT INTEREST ON MUNICIPAL CLAIMS ORDINANCE"

AN ORDINANCE OF THE TOWNSHIP OF LOWER MOUNT BETHEL, COUNTY OF NORTHAMPTON AND COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING THE RATE OF INTEREST TO BE ADDED TO MUNICIPAL CLAIMS FOR WHICH A JUDGMENT HAS BEEN OBTAINED (POST-JUDGMENT INTEREST) BY THE TOWNSHIP AND PROVIDING FOR A GENERAL REPEALER, SEVERABILITY CLAUSE AND EFFECTIVE DATE.

WHEREAS, the Municipal Claims Act provides that a municipality may impose a lien against property for tax claims or municipal claims by way of lien which would include all charges, expenses and fees incurred in the collection of the same, including reasonable attorney's fees; and

WHEREAS, the Municipal Claims Act allows a municipality to claim interest at a rate not to exceed ten percent (10%); and

WHEREAS, by Ordinance 2006—15, Lower Mount Bethel Township established an interest rate of ten percent (10%) to be applied to all municipal claims effective upon the filing of the municipal lien; and

WHEREAS, following the Township obtaining a judgment for a delinquent municipal claim, the Township desires to impose interest upon said judgment as outlined by this Ordinance; and

WHEREAS, it is the intention of this Ordinance to establish the interest rate applicable to all municipal claims, including tax liens and municipal liens, following receipt of a judgment.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Lower Mount Bethel Township, County of Northampton, Commonwealth of Pennsylvania, as follows:

SECTION 1: INTEREST.

Interest will be assessed upon all judgments obtained by the Township for municipal claims at a rate of six (6%) percent per annum, or such other amount of interest that is the maximum interest rate permitted by applicable Pennsylvania law from time to time.

SECTION 11: LIBERAL CONSTRUCTION.

The provisions of this Ordinance shall be liberally constructed to effectively carry out the purposes that are hereby found and declared to be in furtherance of the public health, safety, welfare and convenience.

SECTION 111: GENERAL REPEALER.

Any ordinance, resolution and/or other regulation of the Township, or any parts of ordinances, resolutions and/or other regulations of the Township, in conflict herewith are hereby repealed. All other provisions of the ordinances, resolutions and/or other regulations of Lower Mount Bethel Township, Northampton County Pennsylvania shall remain in full force and effect.

SECTION IV: SEVERABILITY.

The provisions of this Ordinance are declared to be severable. If any article, section, subsection, paragraph, clause, phrase or provision of this Ordinance shall be held to be invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provisions hereof, other than the part determined to be invalid or unconstitutional.

SECTION V: EFFECTIVE DATE.

This Ordinance shall become effective five (5) days following the date of adoption by the Board of Supervisors.

DULY ENACTED AND ORDAINED as an Ordinance of Lower Mount Bethel Township, this day of Julg\_\_\_, 2011 by a majority of the Board of Supervisors of the Township of Lower Mount Bethel, Northampton County, Pennsylvania, at a duly advertised meeting of the Board of Supervisors at which a quorum was present. As part of this Ordinance, the Board of Supervisors has directed that the Chairperson, or Vice-Chair in the absence of the Chairperson, execute this Ordinance on behalf of the Board.

TOWNSHIP OF LOWER MOUNT BETHEL  
BOARD OF SUPERVISORS

  
By: Susan E. Disidore, Chairperson

Attest:

Lori A. Stauffer, Se  
Township Secretary

(Seal)

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