



Legislation Details (With Text)

**File #:** 23-0596      **Version:** 1      **Name:** 5/1/23 Resolution Levying Certain Delinquent Municipal Solid Waste, Board Up, Clean Up, Vacant Property Inspection Fees, Housing Inspection Fees, False Alarm Fees, and Fire Inspection Fees as Special Assessments and Ordering Collection Thereof

**Type:** Resolution      **Status:** Passed

**File created:** 5/1/2023      **In control:** City Council

**On agenda:** 5/1/2023      **Final action:** 5/1/2023

**Enactment date:** 5/1/2023      **Enactment #:** R-23-142

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**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. COMBINED SCHEDULE A.pdf, 2. FIRE SCHEDULE A.pdf, 3. HOUSING SCHEDULE A.pdf, 4. POLICE SCHEDULE A.pdf, 5. SOLID WASTE SCHEDULE A.pdf, 6. R-23-142 Mike Pettigrew Certification for Tax Rolls.pdf

Date	Ver.	Action By	Action	Result
5/1/2023	1	City Council	Approved	Pass

Resolution Levying Certain Delinquent Municipal Solid Waste, Board Up, Clean Up, Vacant Property Inspection Fees, Housing Inspection Fees, False Alarm Fees, and Fire Inspection Fees as Special Assessments and Ordering Collection Thereof

The resolution before you levies certain Delinquent Municipal Solid Waste, Board Up, Clean Up, Vacant Property Inspection fees, Housing Inspection fees, False Alarm Fees, and Fire Inspection fees as special assessments as more particularly described in the attached Schedule A. This is a semi-annual process that provides a mechanism for the City to collect unpaid fees provided for in Chapters 26, 93, 101, and 105.

Chapter 13, Section 1:292 specifies the procedure for placement of these debts on the tax roll. Pursuant to this Chapter, owners of affected properties will be notified by first class mail on May 2, 2023, that the fees, plus a 10% penalty, will be placed on the July 2023 tax roll unless paid within 30 days.

The total amount to be submitted for the July 2023 tax roll is \$87,725.89 (unless paid by May 31, 2023); \$96,498.48 with the 10% penalty fee. These totals can be broken down into the following:

Description	Original Amount	Taxroll Amount
Housing	\$24,885.00	\$27,373.50
Police	\$11,503.00	\$12,653.30
Fire	\$40,138.83	\$44,152.71

Solid Waste	\$11,199.06	\$12,318.97
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The Housing delinquencies are related to delinquent property inspection fees. False alarm response fees account for 94% of the Police delinquencies and 71% of Fire delinquencies. The remainder of Fire delinquencies relate to unpaid Fire inspection and special permit fees. Finally, Solid Waste delinquencies are related to unpaid Commercial Collection charges.

This resolution will permit the inclusion of these fees on the July 2023 tax roll thereby allowing the City to recover the cost of providing these services.

Prepared by: Crystal Allen, Deputy Treasurer

Reviewed by: Michael J. Pettigrew, City Treasurer

Marti Praschan Financial Services Area Administrator and CFO

Jennifer Richards, Assistant City Attorney

Approved by: Milton Dohoney Jr., City Administrator

Whereas, There were unpaid charges for municipal solid waste, board up, clean up, vacant property inspection, false alarm, and fire inspection, and housing inspection (“Unpaid Fees”) within the City as of November 30, 2022;

Whereas, False alarm fees account for 94% of the Police delinquencies and 71% of the Fire delinquencies; Whereas, All unpaid fees are chargeable against the properties identified in the attached Schedule A pursuant to ordinance, charter, or state law;

Whereas, The City’s Chief Financial Officer has verified that the unpaid fees were incurred by the City and that they are properly chargeable to the property listed on the attached Schedule A;

Whereas, The owners identified on the attached Schedule A have been billed in accordance with applicable law but, as of April 3, 2023, all such bills remain unpaid; and

Whereas, The Chief Financial Officer hereby notifies the City Council of these facts and asks that the City Council levy special assessments against the properties identified in the attached schedule for the respective amounts identified therein;

RESOLVED, That the City Council determines that each expenditure or charge identified in the attached Schedule A shall be charged in full and levied against the associated property (and owner thereof) identified on such Schedule A as a special assessment in accordance with Chapter 13, Section 1:292, Chapter 26, Section 2:5(2), and Section 10.4 of the City Charter;

RESOLVED, That the City Clerk or her designee is directed to give notice to the owners of the properties identified in Schedule A of this fact no later than May 2nd, 2023, in accordance with Chapter 13, Section 1:292, Chapter 26, Section 2:5(2), and Section 10.4 of the City Charter; and

RESOLVED, That if such special assessments remain unpaid after thirty days, a ten percent penalty shall be charged in accordance with Chapter 13, Chapter 26, and Section 10.4 of the City Charter, and the Assessor and Treasurer are hereby directed to levy such special assessment amount plus penalty on Summer 2023 tax roll, and shall collect such amounts in the same manner as general City taxes.