Legislation Details (With Text)

File #:	22-1518	**Version:**	1	**Name:**	10/3/22 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
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Title: 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

Sponsors:

Indexes:

Code sections:

Attachments: 1. Winter 2022 Combined Schedule A.pdf

Date	Ver.	Action By	Action	Result
10/3/2022	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

This resolution 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 delinquent 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 October 4th, 2022, that the fees, plus a 10% penalty, will be placed on the December 2022 tax roll unless paid within 30 days.

The total amount to be submitted for the December 2022 tax roll is $130,781.14 (unless paid by November 3rd, 2022); $ 143,859.26 with the 10% penalty fee. These totals can be broken down into the following:

Description	Original Amount	Taxroll Amount
Housing	60,217.00	66,238.70
Police	22,376.00	24,613.60
Fire	30,297.00	33,326.70

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Solid Waste	17,891.14	19,680.26

The Housing delinquencies are related to delinquent property inspection fees. False alarm response fees account for 99% of the Police delinquencies and 60% 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 December 2022 tax roll thereby allowing the City to recover the cost of providing these services.
Prepared by: Michael J. Pettigrew, City Treasurer
Reviewed by: Marti Praschan, Financial Services Area Administrator and CFO
Approved by: Milton Dohoney Jr., City Administrator
Whereas, There are unpaid charges for municipal solid waste, board up, clean up, vacant property inspection, false alarm, fire inspection, and housing inspection ("Unpaid Fees") within the City with an invoice due date of May 31, 2022;

Whereas, False alarm fees account for 99% of the Police delinquencies and 60% of the Fire delinquencies;

Whereas, All delinquent 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 September 6th, 2022, 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 Charter Section 10.4;

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 October 4th, 2022, in accordance with Chapter 13, Section 1:292, Chapter 26, Section 2:5(2), and Charter Section 10.4; and

RESOLVED, If such special assessments remain unpaid after thirty days a ten percent penalty shall be charged in accordance with Chapter 13, Chapter 26, and Charter Section 10.4, and the Assessor and Treasurer are hereby directed to levy such special assessment amount plus penalty on December 2022 tax roll, and shall collect such amounts in the same manner as general City taxes.