

**AN ORDINANCE**

**NO. \_\_\_\_\_**

**AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 5, Administrative Code To Provide That Interest On All Municipal Claims Filed After January 1, 1982, Including Claims For Failure To Pay Solid Waste Fees, Shall Be Added At The Rate Of 10% At The Time Of Collection And Run From The Time Of Filing A Municipal Claim Therefore; And Removing Inconsistent Provisions In Chapter 82 .**

The Board of Commissioners of the Township of Lower Merion does hereby enact and ordain:

**Section 1.** The Code of the Township of Lower Merion, Chapter 5, Administrative Code, Article X, Finance and Budget, § 5-64.1, Penalty and interest on municipal claims, shall be amended to provide as follows:

Article X, Finance and Budget

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**§ 5-64.1. Penalty and interest on municipal claims.**

[Municipal claims filed upon the assessment for amounts remaining unpaid for improvements to real estate shall, upon filing, have added thereto a penalty of 5% of the amount of the claim. Municipal claims filed upon the failure to pay for services rendered or provided, shall, upon filing, have added thereto a penalty of 10% of the amount of the claim, except where a different rate or date of adding the penalty is set forth in this Code. In addition, upon collection of any municipal claim, there shall be added thereto interest on the sum of the claim ~~and penalty~~ from the date of the filing of the lien or the completion of the work, whichever shall last occur, at the rate of 5% per annum up to January 1, 1982, and 10% per annum thereafter; except that where a municipal claim is filed arising out of a project financed by the issuance of Township bonds, interest shall be collectable at the rate of interest paid on the bonds or at the rate of 12% per annum, whichever is less.

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**Section 2.** The Code of the Township of Lower Merion, Chapter 82, Garbage and Refuse, §82.13.1, Municipal waste collection and disposal services, subsection K, Fees imposed for the collection and disposal of solid waste, paragraph 4, Interest on delinquent payments, shall be amended by deleting paragraph 4 and holding it in reserve.

Chapter 82. Garbage and Refuse

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**§ 82-13.1. Municipal waste collection and disposal services.**

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**K. Fees imposed for the collection and disposal of solid waste.**

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- (4)** ~~RESERVED Interest on delinquent payments. All fees remaining unpaid on December 31 of the year in which billed shall, in addition to a penalty, bear interest at the rate of 1/2 of 1% per month, from December 31 until paid.~~

**Section 3.** Nothing in this Ordinance or in Chapters 5 and 82 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 5 and 82 prior to the adoption of this amendment.

**Section 4.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

**Section 5** This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this       day of       , 2018.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF LOWER MERION

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Daniel S. Bernheim, President

ATTEST:

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Jody L. Kelley, Secretary