

Town of Bowling Green
Town Council Meeting



Date: August 3, 2017
Agenda Item: Public Hearing on an Ordinance to allow the Town to charge fees for collections

TYPE OF AGENDA ITEM:

- CONSENT AGENDA
- PRESENTATION
- ACTION ITEM
- TOWN MANAGER & STAFF COMMENTS
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION ONLY
- DISCUSSION ONLY
- DISCUSSION AND/OR DECISION
 - Introduction Resolution
 - Ordinance Grant/ MOU
 - By Motion Bylaws
 - Certificate

PRESENTER: Reese Peck

PRESENTER TITLE: Town Manager

AGENDA ITEM: Public Hearing (C)

BACKGROUND / SUMMARY: Section 58.1-3958 of the Code of Virginia provides that the treasurer can collect administrative fees to cover the costs of collection and may also add collection agency or attorney's fees actually contracted for, not to exceed 20%, to the delinquent tax bill. This proposal recognizes that the costs of collection of delinquent accounts should be borne by those who have failed to meet their obligations and not by the general citizenry. These fees would cover the costs of collection in the event the account is assigned to a collection agency or attorney.

ATTACHMENTS:

Public Notice and Proposed Ordinance.

REQUESTED ACTION:

To approved proposed ordinance.

FOR MORE INFORMATION, CONTACT:

Phone #: 804-633-6212

Email: Townmanager@townofbowlinggreen.com

Name:

Reese Peck

FOR USE DURING MEETING

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Coleman	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Davis	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Gaines	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Hauser	<input type="checkbox"/>	<input type="checkbox"/>	

VOTE:

PASS

NOT PASSED

McDearmon
Wright
Rowe
Satterwhite

Town of Bowling Green Public Hearing

The Bowling Green Town Council will hold a public hearing on Thursday August 3, 2017 at 7:30 PM in Town Hall, 117 Butler Street. The purpose of the hearing is to receive comment on **Ordinance No. 2017-004 “AN ORDINANCE TO REIMBURSE THE TOWN OF BOWLING GREEN FOR COSTS AND FEES ASSOCIATED WITH THE COLLECTION OF DELINQUENT ACCOUNTS”** The amendment would add Article VIII, “Enforcement,” Section 7-800, “Enforcement Costs & Fees” to allow the Town to charge administrative fees for collections on delinquent accounts.

A complete copy of Ordinance No. 2017-004 may be obtained or viewed by contacting the Town Clerk at Town Hall at 633-6212. Any person requiring assistance in order to participate in the public hearing is asked to contact the Town Clerk in advance so that appropriate arrangements may be made.

A. Reese Peck
Town Manager

Ordinance 2017-004

**AN ORDINANCE TO REIMBURSE THE TOWN OF BOWLING GREEN
FOR COSTS AND FEES ASSOCIATED WITH THE COLLECTION OF
DELINQUENT ACCOUNTS**

BE IT ORDAINED by the Bowling Green Town Council, pursuant to Virginia Code § 58.1-3958, that Chapter 7, "Taxation," shall be amended by adding Article VIII, "Enforcement," Section 7-800, "Enforcement Costs & Fees" to read in its entirety as follows:

"Sec. 7-800 – Enforcement Costs & Fees.

Each person chargeable with delinquent taxes or other delinquent charges, fees shall also be required to pay the administrative costs and reasonable attorney's or collection agency's fees. The attorney's or collection agency's fees shall not exceed 20 percent of the taxes or other charges so collected. The administrative costs shall be in addition to all penalties and interest, and shall not exceed \$30 for taxes or other charges collected subsequent to 30 or more days after notice of delinquent taxes or charges pursuant to Virginia Code § 58.1-3919, but prior to the taking of any judgment with respect to such delinquent taxes or charges, and \$35 for taxes or other charges collected subsequent to judgment. If the collection activity is to collect on a nuisance abatement lien, the fee for administrative costs shall be \$150 or 25 percent of the cost, whichever is less; however, in no event shall the fee be less than \$25.

No tax assessment or tax bill shall be deemed delinquent and subject to the collection procedures during the pendency of any administrative appeal under Virginia Code § 58.1-3980, so long as the appeal is filed within 90 days of the date of the assessment, and for 30 days after the date of the final determination of the appeal, provided that nothing in this paragraph shall be construed to preclude the assessment or refund, following the final determination of such appeal, of such interest as otherwise may be provided by general law as to that portion of a tax bill that has remained unpaid or was overpaid during the pendency of such appeal and is determined in such appeal to be properly due and owing."

This Ordinance shall take effect upon adoption.