ORDINANCE NO. ___194___

AN ORDINANCE OF THE BOROUGH OF SMITHTON, WESTMORELAND COUNTY, PENNSYLVANIA ESTABLISHING FEES FOR THE PREPARATION AND ISSUANCE OF MUNICIPAL LIEN LETTERS

WHEREAS, the Borough of Smithton is authorized to file municipal claims or liens against real property within the Borough arising from the non-payment of fees, charges, costs or expenses incurred by the Borough; and

WHEREAS, from time to time the Borough is asked to provide certification of any and all outstanding municipal claims, liens charges, costs or expenses it may have against real property within the Borough; and

WHEREAS, the Borough Secretary, in response to such requests, performs a search of Borough records and issues "Lien Letters" to third parties, which certify the nature and amounts of outstanding indebtedness due and owing to the Borough; and

WHEREAS, the Borough desires to assess and charge a fee for the issuance of such "Lien Letters" to offset the cost and expense incurred by the Borough in producing same.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE BOROUGH OF SMITHTON, WESTMORELAND COUNTY, PENNSYLVANIA HEREBY ORDAINS AND ENACTS AS FOLLOWS:

1. A charge of $50.00 shall be charged and assessed for each Lien Letter requested and issued by the Borough verifying the nature and extent of outstanding indebtedness due and owing the Borough.

2. The Council of the Borough of Smithton may amend the charge for such lien letters from time to time hereafter by Resolution duly adopted by the Council of the Borough of Smithton at a public meeting.

3. This Ordinance hereby amends any other Ordinance duly ordained and enacted by the Council of the Borough of Smithton inconsistent herewith.
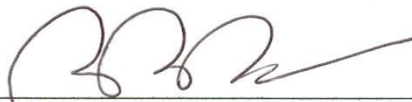
THIS ORDINANCE IS DULY ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF SMITHTON, WESTMORELAND COUNTY, PENNSYLVANIA, AT A PUBLIC MEETING HELD THE __13th__ DAY OF __April__, 2005 AND SHALL TAKE EFFECT IMMEDIATELY.

ATTEST: THE BOROUGH OF SMITHTON:

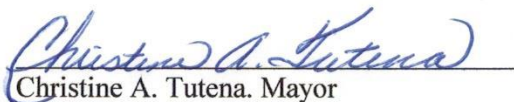_____   _____
Michele Cathers, Secretary   Fred R. Foster, President of Council

I, the undersigned, Mayor of the Borough of Smithton, Westmoreland County, Pennsylvania, do hereby affirm that I have read and approved the within Ordinance.

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Christine A. Tutena. Mayor