

ORDINANCE NO. 20-19
Village of Elizabeth ELIZABETH, LOUISIANA

Refer to Minutes: 9/3/19

AN ORDINANCE OF THE VILLAGE OF ELIZABETH IN ELIZABETH, LOUISIANA TO
ASSESS A COLLECTION FEE ON DEBTS REFERRED TO A COLLECTION AGENCY

An ordinance establishing that the Village of Elizabeth, Louisiana authorizes the assessment of a collection fee on debts, accounts receivable, costs, fines and fees turned over to a collection agency.

WHEREAS, the Village of Elizabeth Council recognizes that there are certain debts and accounts on which the city has been unable to collect funds due;

WHEREAS, the Village of Elizabeth Council recognizes that there are certain fines, costs and fees ordered by City Court which remain outstanding;

WHEREAS, the Village of Elizabeth Council recognizes that as the governing authority for the city there exists a duty to exercise due diligence in collecting public funds;

WHEREAS, the Village of Elizabeth Council recognizes that the city is authorized by state law to contract with a collection agency for the collection of one or more of the following items:

1. Debts and accounts receivable including but not limited to, unpaid utility fees, penalties, interest and other sums due the municipality, as applicable; or
2. Court penalties, costs, fines and fees in cases in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court,

WHEREAS, the Village of Elizabeth Council recognizes that a collection fee will be required to obtain the services of a collection agency to collect these sums, and desires to assess such a fee;

WHEREAS, in case any one or more of the provisions of this ordinance shall for any reason be held to be illegal or invalid, such illegality or

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invalidity shall not affect any other provisions of said ordinance, but the same shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provisions enacted after the date of this ordinance which validates or makes legal any provision there of shall be deemed to apply hereto.

NOW, THEREFORE, BE IT ORDAINED by the Village of Elizabeth Council of Elizabeth, Louisiana, in legal and regular and/or special session, acting as the "Governing Authority" of said (village, town or city), adopt the following ordinance to their municipal codes.

BE IT ORDAINED, by the Village of Elizabeth Council of Elizabeth, LA:

SECTION II, The Village of Elizabeth hereby assesses a collection fee in an amount not to exceed twenty-five percent (25%) of the delinquent municipal debt when the city has entered into a contract with the Louisiana Municipal Advisory and Technical Services Bureau ("Bureau") for collection of the above listed items. This fee will be added to all sums submitted to the collection agency regardless of age.

SECTION III, BE IT FURTHER ORDAINED THAT ALL Ordinances or parts thereof in conflict herewith are hereby repealed.

THIS ORDINANCE WAS INTRODUCED on the 3rd day of September 2019.
NOTICE PUBLISHED on the 26th day of September 2019.

The final adoption of the foregoing ordinance having been duly moved by Ken Kelly and seconded by Angela Smith, the roll was called, and the following votes were taken and recorded:

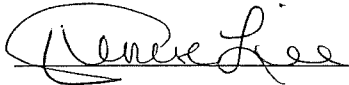
YEAS: ___ 3 ___

NAYS: ___ 0 ___

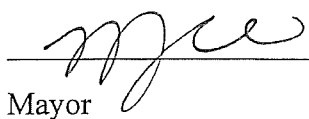
ABSENT: ___ 0 ___

There being a favorable vote on the ordinance of at least a majority of the authorized members of the Governing Authority, the ordinance was declared adopted on this 5th day of November 2019.

Attest:



Village Clerk



Mayor