**ORDINANCE BY THE MUNICIPALITY, LOUISIANA TO ASSESS A COLLECTION FEE ON DEBTS REFERRED TO COLLECTION AGENCY**

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

**WHEREAS**, the City Council recognizes that there are certain debts and accounts on which the Municipality has been unable to collect funds due;

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

**WHEREAS**, the City Council recognizes that as the governing authority for the Municipality, there exists a duty to exercise due diligence in collecting public funds;

**WHEREAS**, the City Council recognizes that the Municipality 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 City 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 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 validate or make legal any provisions thereof shall be deemed to apply hereto.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the Municipality, State of Louisiana, in legal and regular and/or special session, acting as the “Governing Authority” of said City, adopt the following ordinance to the Municipality Code.

BE IT ORDAINED by the Counsel of the Municipality, Louisiana: SECTION I. The Municipality hereby assesses a collection fee in an amount not to exceed twenty-five percent (25%) of the delinquent municipal debt when the Municipality has entered into a contract with the Louisiana Municipal Advisory and Technical Services Bureau (“LaMATS”) for collection of the above listed items. This fee will be added to all sums submitted to the collection agency regardless of age.

SECTION II. BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

SECTION III. BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

THIS ORDINANCE WAS INTRODUCED on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2016.

NOTICE PUBLISHED on the day of , 2016.

The final adoption of the foregoing ordinance having been duly moved and seconded, the roll was called and the following vote was taken and recorded:

YEAS: NAYS: ABSENT:

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 the \_\_ day of \_\_\_ , 2016.

**CITY CLERK**

**MAYOR**