

**ROBESON TOWNSHIP
BERKS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 25-01

AN ORDINANCE OF ROBESON TOWNSHIP, BERKS COUNTY, PENNSYLVANIA DESIGNATING PENNSYLVANIA MUNICIPAL SERVICE COMPANY ("PAMS") AS THE COLLECTOR FOR CURRENT SEWAGE USER AND STORM WATER FEES AND DELINQUENT SEWAGE USER AND STORM WATER FEES; IMPOSING ON DELINQUENT RATEPAYERS THE OBLIGATION TO PAY REASONABLE COSTS INCURRED BY THE DELINQUENT FEE COLLECTOR FOR COLLECTION OF DELINQUENT FEES, PENALTIES, AND INTEREST

WHEREAS, Robeson Township, Berks County, Pennsylvania ("Township") operates a sewer system, for which it collects quarterly charges from users ("Sewage User Fees"), and has in place measures for the management of storm water, for which it collects quarterly charges from residents and taxpayers ("Storm Water Fees");

WHEREAS, delinquencies in payment, whether late payment or non-payment, deprive the Township of needed operating revenue, and unfairly require those paying in a timely manner to carry an unfair burden;

WHEREAS, Pennsylvania Municipal Service Company ("PAMS") is an entity specializing in the billing and collection of municipal fees and charges;

WHEREAS, PAMS has been designated by the Township Board of Supervisors for billing of current Sewage User Fees and collection of Delinquent Sewage User Fees;

WHEREAS, PAMS has been designated by the Township Board of Supervisors for billing of current Storm Water Fees and collection of Delinquent Storm Water Fees;

WHEREAS, the Pennsylvania legislature adopted Act 1 of 1996 and Act 20 of 2003 (hereinafter "Act 1 & Act 20") allowing municipalities to impose "reasonable costs" on delinquent ratepayers and to permit the delinquent fee collector to retain such reasonable costs; and,

WHEREAS, the Township desires to exercise all of its legal authority in accordance with legislative pronouncements set forth in Act 1 of 1996 and Act 20 of 2003, to encourage and facilitate the collection of delinquent fees and to eliminate the expense associated with collections by imposing reasonable costs on the delinquent ratepayer.

THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Robeson Township Board of Supervisors as follows:

Section 1. PAMS Designated as Exclusive Agent. Robeson Township designates PAMS as its exclusive agent for the purposes of: a) billing currently owed Sewage User Fees and Storm Water Fees; and, b) collection of Delinquent Sewage User Fees and Storm Water Fees. Billing and collection shall include, in addition to principal amount owed, any and all penalties, interest, and costs assessed and levied pursuant to all resolutions and/or ordinances respecting said fees, during the period of the Agreement between PAMS and the Township, a copy of which, with accompanying Fee Schedule which may be changed from time to time by Resolution of the Board of Supervisors, is attached hereto, incorporated herein, and marked as Exhibit 1.

Section 2. Act 1/Act 20 Charges. Because (1) Pennsylvania legislature adopted Act 1 of 1996 and Act 20 of 2003 (hereinafter "Act 1 & Act 20") allow a municipality to approve reasonable costs, charges, and expenses ("Reasonable Costs") which may be imposed on the delinquent ratepayer, collected and retained by the delinquent fee collector; and, (2) Township desires to exercise all of its legal authority in accordance with the legislative pronouncements set forth in Act 1 of 1996 and Act 20 to encourage the collection of delinquent fees and to eliminate the expense associated with such collections by imposing the Reasonable Costs on the delinquent ratepayer; the Township and PAMS have agreed as follows with respect to the collection of Delinquent Sewage User Fees and Delinquent Storm Water Fees:

a) Township designates PAMS as its exclusive agent for purposes of collecting Delinquent Sewage User Fees and Delinquent Storm Water Fees, including all penalties, interest, costs, Reasonable Costs, Attorney Fees, etc. assessed and levied pursuant to Robeson Township's resolutions and/or ordinances;

b) Township set forth approves the following Reasonable Costs to be paid to PAMS by the delinquent ratepayer:

(i) A sum of (10%) of gross collections of all Delinquent Sewage User Fees and Storm Water Fees, plus delinquent costs, charges, and expenses prior to the initiation of enforced collection proceedings before the Magisterial District Court Judge or other court.

(ii) A sum of (15%) plus delinquent costs, charges, and expenses of gross collections for accounts under payment plans.

(iii) A sum of (20%) of gross collections plus delinquent costs, charges, and expenses on or after the initiation of enforced collection

proceedings before the Magisterial District Court Judge or any other court should the Township authorize court actions by PAMS. This subparagraph does not apply, and no sums shall be due to PAMS for the filing of municipal claims and liens, or in personam actions in court for delinquent accounts filed by the Township Solicitor, which shall remain the sole prerogative of the Township.

(iv) A sum of (25%) of gross collections plus delinquent costs, charges, and expenses for accounts under payment plans and after the initiation of enforced collection proceedings before the Magisterial District Court Judge or any other court should the Township authorize court actions by PAMS. This subparagraph does not apply and no sums shall be due to PAMS for the filing of municipal claims and liens, or in personam actions in court for delinquent accounts filed by the Township Solicitor, which shall remain the sole prerogative of the Township.

The amounts set forth above shall be deemed compensation and Reasonable Costs for services rendered by PAMS in the collection of Delinquent Sewage User Fees and Delinquent Storm Water Fees.

(c) For purposes of this provision the term "gross collections" shall mean the original fee plus applicable penalties and interest.

(d) In addition to the amounts set forth in paragraphs 2(a) and 2(b), any attorney's fees and notice fees related to the collection of delinquent fees, interest, penalty, or other charges shall be paid by the delinquent ratepayer as part of the "Reasonable Costs" to be paid to PAMS by the delinquent ratepayer. A schedule of said charges, costs, and expenses is set forth as Exhibit 1 to this Ordinance.

(e) Such Reasonable Costs, together with and including costs, reimbursement for postage, and other out-of-pocket expenses, shall be collected directly from the delinquent ratepayers in accordance with Act 1 of 1996 and Act 20 2003 and all other applicable laws.

Section 3. Repealer. All ordinances or parts of ordinances that are inconsistent herewith including but not limited to Ordinance No. 58 of November 11, 1982, are hereby repealed.

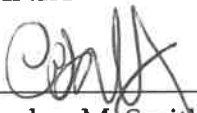
Section 4. Severability. The provisions of this Ordinance are declared to be severable if any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision(s) shall not affect the validity of any of the remaining sections, sentences, clauses, and phrases of this Ordinance. It is hereby declared as the legislative intent that this

Ordinance would have been enacted had such unconstitutional, invalid, or illegal provision not been included therein.

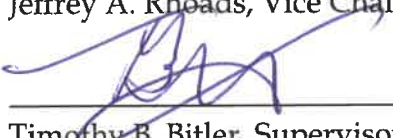
Section 5. Effective Date. This Ordinance shall take effect and be in force upon enactment by the Board of Supervisors of Robeson Township.


DULY ENACTED AND ORDAINED the _____ day of _____, 2025
by the Supervisors of Robeson Township, Berks County, Pennsylvania, in lawful session
duly assembled.

**BOARD OF SUPERVISORS OF
ROBESON TOWNSHIP, BERKS COUNTY,
PENNSYLVANIA**

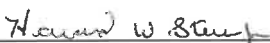
By: 
Christopher M. Smith, Chairman

By: _____
Jeffrey A. Rhoads, Vice Chairman

By: 
Timothy B. Bitler, Supervisor

By: 
Scott L. Gullo, Supervisor

By: _____
Joy A. Breidenstein, Supervisor

Attest: 
Harold W. Steve, Jr.
Interim Township Manager / Secretary

MUNICIPAL CERTIFICATION

I, Harold W. Steve, Jr., Interim Township Manager / Secretary of Robeson Township, Berks County, Pennsylvania, do hereby certify that the foregoing Ordinance No. 25-01 was advertised in the *Reading Eagle*, a daily newspaper of general circulation in Robeson Township and was duly enacted and approved as set forth at a regular meeting of the Board of Supervisors held on the 14 day of August, 2025.

[SEAL]

By: Harold W. Steve, Jr.
Harold W. Steve, Jr.
Interim Township Manager / Secretary

**Pennsylvania Municipal Service Company
Delinquent Utility Fee Schedule**

First Delinquent Notice Fee	10% / notice
Second Delinquent Notice	\$22.00 / cycle
Termination Notice*	\$50.00 / notice
Poster*	\$80.00 / notice
Shut Off*	\$60.00 / notice
Litigation Notice	\$35.00 / notice
Payment Plan	15%
Litigation Action	20%
Litigation Action and Payment Plan	25%
Bankruptcy Claims	\$60.00 / claim
Non-Sufficient Funds	\$35.00/ check
Delinquent Part Payment Fee	\$4.00 / payment
Certification Letter	\$40.00 / letter

All above-listed fees are assessed to and the responsibility of the ratepayer except for the Certification Letter fee which is the responsibility of the requesting third party. The fees for Bankruptcy Claims are paid by the Client and reimbursed when paid by the ratepayer.

Charges and or fees imposed by the Water Co. (sewage user fee only), Court, Prothonotary, Sheriff, Attorney, or any other public office in connection with the collection of the Client's claims are assessed to and the responsibility of the ratepayer. These fees are paid by the Client and reimbursed when paid by the ratepayer.

*Delinquent fees for sewage user fee collections only.