

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE: January 9, 2019 (COW)(B of T) January 17, 2019

TITLE: AN ORDINANCE REPEALING TITLE III, CHAPTER 35, SECTION 35.54 OF
THE LOMBARD VILLAGE CODE IN REGARD TO DELINQUENT
MONETARY PAYMENTS – COLLECTION COSTS

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

Attached is an ordinance that repeals Title 3, Chapter 35, Section 35.54 of the Village Code. Collections agencies have informed us that they will no longer add collection costs to the delinquent amount due to new rules under the U.S. Fair Debt Collection Practices Act.

Village staff recommends Board of Trustee approval of the attached ordinance.

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X		Date	1/9/19
Village Manager X	_____	Date	_____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

KTJ

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MEMORANDUM

To: Jamie Cunningham, Assistant Finance Director, Village of Lombard

From: Tom Bayer, Village Attorney **Via email only**

Date: January 3, 2019

Re: **Delinquent Monetary Payments – Collection Costs**

As a follow-up to our meeting on January 2, 2019, relative to the above-captioned matter, attached please find the following Ordinance for your review, and for approval at a future Village Board meeting:

AN ORDINANCE
REPEALING TITLE III, CHAPTER 35, SECTION 35.54
OF THE LOMBARD VILLAGE CODE IN REGARD TO
DELINQUENT MONETARY PAYMENTS – COLLECTION COSTS

Based on the Village's collection agency advising you that third party collection costs cannot be added to the delinquent amount owed the Village (and your confirmation that this is correct, based on discussions with other collection agencies), the Ordinance repeals Section 35.54 of the Village Code.

If there are any questions, please feel free to contact me.

encl.

ORDINANCE NO. _____

**AN ORDINANCE
REPEALING TITLE III, CHAPTER 35, SECTION 35.54
OF THE LOMBARD VILLAGE CODE IN REGARD TO
DELINQUENT MONETARY PAYMENTS – COLLECTION COSTS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title III, Chapter 35, Section 35.54 of the Lombard Village Code is hereby repealed.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Passed on first reading this _____ day of _____, 2019.

First reading waived by action of the Board of Trustees this ____ day of _____, 2019.

Passed on second reading this _____ day of _____, 2019, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2019.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk