

BORO OF MILLVILLE
COLUMBIA COUNTY, PENNSYLVANIA

ORDINANCE NUMBER 19950117.128

AN ORDINANCE OF THE BORO OF MILLVILLE, PURSUANT TO ACT 98 OF 1992, AS AMENDED, PROVIDING THAT IN CERTAIN FIRE LOSSES THE INSURANCE COMPANY, ASSOCIATION OR EXCHANGE SHALL OBTAIN MUNICIPAL CERTIFICATION THAT NO TAXES, ASSESSMENTS, PENALTIES OR USER CHARGES ARE OUTSTANDING AGAINST THE PROPERTY BEFORE PAYING ANY FIRE LOSSES, PROVIDING FOR FEES, AND PROVIDING FOR PENALTIES FOR VIOLATION IN THE BORO OF MILLVILLE.

WHEREAS, the Commonwealth of Pennsylvania has enacted Act 98 of 1992 amending the Insurance Company Law of 1921 to provide procedures for the payment of certain fire loss claims; AND

WHEREAS, it is the purpose of said legislation to deter the commission of arson and related crimes, to discourage the abandonment of property, and to prevent urban blight and deterioration; AND

WHEREAS, the Boro of Millville desires to adopt an ordinance pursuant to Section 508 of the Insurance Company Law of 1921 to provide for the payment of proceeds from certain fire loss claims to the Municipality;

It is THEREFORE ORDAINED and ENACTED by the Council of the Boro of Millville as follows:

Section I - The Treasurer of the Boro of Millville is hereby appointed as the designated officer who is authorized to carry out all responsibilities and duties stated herein.

Section II - No insurance company, association or exchange, hereinafter the "Insuring Agent", doing business in the Commonwealth of Pennsylvania shall pay a claim of a named insured for fire damage to a structure located within the Boro of Millville, hereinafter the "Municipality", where the amount recoverable for the fire loss to the structure under all policies exceeds Five Thousand dollars (\$5,000), unless the Insuring Agent is furnished by the municipal treasurer with a municipal certificate pursuant to Section 508 (B) of Act 98 of 1992, as amended, the applicable parts of which are appended hereunto.

Section III - The Boro of Millville may by resolution adopt procedures and regulations to implement Act 98 of 1992 as amended and this Ordinance and may by resolution fix reasonable fees to be charged for municipal activities or services provided pursuant to

Act 98 of 1992 and this Ordinance; including but not limited to the issuance of certificates and bills.

Section IV - Any owner of property, any named insured or any Insuring Agent who violates this Ordinance shall be subject to a penalty of up to \$1,000 per violation.

Section V - The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held to be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

Section VI - All Ordinance or parts of Ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

Section VII - This Ordinance shall become effective upon enactment.

Adopted at the meeting of Council on this 17th day of January, 1995.

ATTEST BOROUGH OF MILLVILLE:

Murray Holdren, Sec.
President of Council

Millard C. Ludwig

Jerre Wright, Mayor

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