

BLAKELY BOROUGH

ORDINANCE NO. 4 of 2023

AN ORDINANCE REQUIRING A SEARCH FOR MONIES DUE AND OWING TO THE BOROUGH OF
BLAKELY AT THE TIME OF REAL ESTATE CLOSINGS

WHEREAS, the Borough of Blakely provides many services to its residents and property owners;

WHEREAS, the Borough of Blakely receives payment from its residents and property owners for the provision of certain services, including, but not limited to, refuse pick-up, potential property maintenance, and, through Blakely Electric, electric utility services;

WHEREAS, from time to time, certain residents and property owners fail to pay, in whole or in part, monies due and owing to the Borough for the provision of certain services;

WHEREAS, historically, Sellers of Property (“Sellers”), Closing Agents and Title Insurance Companies, prior to closing on a sale of property within the Borough, would regularly contact Blakely Borough to determine whether any monies were due and owing such that required payments could be made prior to or at the time of real estate closings;

WHEREAS, recently, the Borough has recognized that many new and/or out of state Sellers, Closing Agents or Title Insurance Companies are processing the sale of properties within the Borough of Blakely;

WHEREAS, recently, the Borough has recognized that real estate closings on property within the Borough of Blakely have been occurring without the Borough receiving contact to determine if any monies are due and owing based upon unpaid bills for services provided by the Borough;

WHEREAS, the Borough of Blakely relies upon the receipt of payment for services provided to residents and property owners for the continuing operations of Borough for the benefit of all residents and property owners;

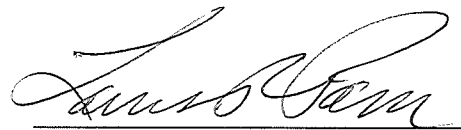
WHEREAS, the Borough of Blakely wishes to protect the interests of all residents and property owners by providing necessary and important services.

NOW THEREFORE IT IS HEREBY ORDAINED AND ENACTED by Blakely Borough, Lackawanna County, Pennsylvania as follows:

1. Any and all Sellers, Closing Agents and/or Title Insurance Companies must contact the Borough of Blakely at 570-383-3360 prior to closing to determine whether any monies are due and owing to the Borough for services provided to the resident and/or owner of the property to be sold. Proof of contact with the Borough must be obtained in writing in the form of either a letter, memorandum, email or text message.
2. Any and all Sellers, Closing Agents and/or Title Insurance Companies are required to withhold from monies due and owing to the seller of any property within the Borough of Blakely all monies due and owing to the Borough for services provided to the resident and/or owner of the property to be sold and to pay the same over to the Borough in satisfaction of monies owed;
3. Any and all Sellers, Closing Agents and/or Title Insurance Companies who fail to contact the Borough to determine whether any monies are due and owing to the Borough for services provided to the resident and/or owner of the property to be sold shall be individually liable for any monies owed to the Borough;
4. In addition, any and all Sellers, Closing Agents and/or Title Insurance Companies who are determined to have violated this Ordinance on more than two (2) occasions, may be subject to a fine not to exceed \$500 upon

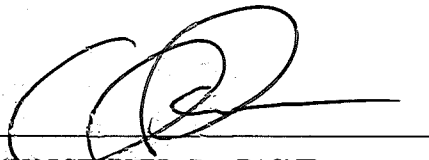
the third violation and any violation thereafter.

This ordinance has been appropriately advertised and is hereby approved
this 20th day of March, 2023.



LOUIS R. PARRI
Council President

Attest:



CHRISTOPHER R. PAONE
Secretary



JEANETTE ACCIARE-MARIANI
Mayor