

ORDINANCE NO. 2022-__
DELINQUENT COUNTY TAX AND OTHER CHARGES,
ADMINISTRATIVE COST AND ATTORNEY’S FEES ORDINANCE
OF WYTHE COUNTY, VIRGINIA

WHEREAS, The Wythe County Board of Supervisors, with the adoption of this Ordinance, is re-enacting Ordinance No 97-6, and amendments thereto titled “Delinquent County Tax Administrative Cost and Attorney’s Fees Ordinance of Wythe County, Virginia, as Ordinance 2022-__, title “Delinquent County Tax and Other Charges, Administrative Cost and Attorney’s Fees Ordinance of Wythe County, Virginia”

ARTICLE 1 – Title, Authority, Jurisdiction & Purpose

- 1.1 Title. This Ordinance shall hereinafter be known as and may be cited as the “Delinquent County Tax and Other Charges Administrative Cost and Attorney’s Fees Ordinance of Wythe County, Virginia”, Ordinance No. 2022-__.
- 1.2 Authority. It is adopted pursuant to the provisions of Virginia Code Sections 58.1-3958, of the Code of Virginia, 1950, as amended.
- 1.3 Jurisdiction. The provisions of this ordinance shall apply to Wythe County, Virginia.
- 1.4 Purpose. The purpose of this ordinance is to impose all collections costs for delinquent County taxes and other charges on the account holders who have failed or refused to pay their taxes and other charges as required by law.

ARTICLE II – Addition of Tax

- 2.1 Each person liable for local taxes or other local charges who fails to pay the amount due within thirty (30) days after delinquent taxes or other delinquent charges have become due and notice has been issued shall pay to Wythe County a fee to cover the administrative costs and reasonable attorney’s and/or collection agency’s fees actually contracted for to collect such delinquent taxes or other delinquent charges pursuant to the Code of Virginia §58.1-3958, as amended, or other Virginia statutes regulating the amount of such fees or covering the subject of fees in such cases.
- 2.2 The attorney’s or collection agency’s fees shall not exceed twenty percent (20%) of the taxes and/or other charges of the delinquent bill. The fee to cover the administrative costs shall be in addition to all penalties and interest.

ARTICLE III – Legal Status Provisions

- 3.1 Certified Copies of Ordinance. Certified copies of this ordinance and all amendments thereto shall be filed in the offices of the County Administrator, the Clerk’s Office of the Wythe County Circuit Court and the Clerk’s Office of the Wythe County General District Court of Wythe County, Virginia.

- 3.2 Validity. Should any article, section, subsection or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

- 3.3 Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of their conflict.

- 3.4 Effective Date. This ordinance was duly considered following a required public hearing held on October 25, 2022, and was adopted by the Board of Supervisors of Wythe County, Virginia at its regular meeting held on _____, 2022. This ordinance shall become effective on _____, 2022.

Supervisor _____ made a motion to approve this ordinance. The motion was seconded by Supervisor _____ and the roll call vote is as follows:

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Absent</u>
Jesse Burnett			
Rolland Cook			
Gene Horney			
Ryan Lawson			
Jamie Smith			
Stacy Terry			
Brian Vaught			

I certify that this is a true and correct copy taken from the _____, 2022 minutes of the Wythe County Board of Supervisors meeting.

Martha Collins, Clerk of the Board