

**RESOLUTION R-2023-120
LUZERNE COUNTY COUNCIL**

A Resolution of Luzerne County Council Authorizing the Pennsylvania Department of Treasury to Establish a Process and Assume Responsibility for the Return of Unclaimed Fees to Residents Due to Luzerne County's Implementation of a \$5.00 Fee for Local Use as Provided by 75 Pa.C.S. §1935

WHEREAS, on May 18, 2018, Luzerne County Council enacted Ordinance 2018-04 - Implementation of a Fee for Local Use as Provided by 75 Pa.C.S. §1935 Allowing a County to Impose a County Fee of \$5.00 for Each Non-Exempt Vehicle Registered to an Address Located Within its Borders (“\$5.00 Local Use Fee”); and

WHEREAS, on February 25, 2020, Luzerne County Council enacted Ordinance 2020-02 which amended Ordinance 2018-04 by eliminating the \$5.00 Local Use Fee effective December 31, 2021; and

WHEREAS, despite the edicts of Ordinance 2020-02, the Pennsylvania Department of Transportation collected the \$5.00 Local Use Fee from certain Luzerne County residents after December 31, 2021; and

WHEREAS, the Pennsylvania Department of Transportation has returned those funds to Luzerne County in order to refund affected citizens; and

WHEREAS, the Luzerne County Executive Branch is recommending the funds be transferred to the Pennsylvania Department of Treasury as this entity has the ability to administer refunds more efficiently, expeditiously and at a significantly lower cost to the County versus the County handling the process internally, namely at no cost to the County; and

WHEREAS, Luzerne County Council desires to authorize the Pennsylvania Department of Treasury to assume responsibility of refunding the \$5.00 Local Use Fee to affected Luzerne County citizens.

NOW THEREFORE, BE IT RESOLVED, Luzerne County Council hereby authorizes the Pennsylvania Department of Treasury to assume responsibility of refunding the \$5.00 Local Use Fee to affected Luzerne County citizens that was collected in error pursuant to 75 Pa.C.S. §1935.

This Resolution shall be effective immediately.

ADOPTED a meeting of the Luzerne County Council held on the 22nd day of August, 2023.

ROLL CALL VOTE (10-1)

YES: Bienias, Lescavage, Lombardo, McDermott, McGinley, Mitchell, Perry, Thornton, Vough and Wolovich

NO: SJ Urban

Attest: _____

Sharon Lawrence, Clerk of Council

LUZERNE COUNTY COUNCIL

By Kendra Vough
Kendra Vough, Chair

LUZERNE COUNTY MANAGER

By: Romilda Crocama
Romilda Crocama, Esq.,
County Manager