AN EMERGENCY ORDINANCE TO RELIEVE CERTAIN CUSTOMERS FROM PENALTIES ASSOCIATED WITH LATE PAYMENT OF BILLS FOR CITY UTILITY SERVICE

WHEREAS, City Council wishes to assist its residents and businesses as the community contends with the COVID-19 pandemic which resulted in a state of emergency declared by the Governor on March 12, 2020 and the Declaration of Local Emergency issued by the City Manager on March 15, 2020 and confirmed by City Council on March 24, 2020; and

WHEREAS, Section 15.2-1413 of the Code of Virginia authorizes City Council to act to assure continuity in government in the event of a disaster; and

WHEREAS, City Council determines that providing relief for City utility customers severely affected by the COVID-19 pandemic from penalties associated with late payment of utility bills for City provided services will promote continuity of government and grant needed relief to businesses and individuals affected by the disaster.

NOW, THEREFORE, BE IT ORDANCED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

1. *Relief from Penalties Associated with Late Payment of Bills for City Utility Services.* Notwithstanding the provisions of Section 7-4-3 of the Code of the City of Harrisonburg, penalties may be waived for any late payment of a bill for City utility services that would be due and payable to the City between March 30, 2020 and the date thirty days after the Declaration of Local Emergency is rescinded or otherwise terminates. The waiver of penalties provided for in this emergency ordinance shall be available only to any customer that is (1) a business described in paragraphs 3 or 4 of Governor Ralph S. Northam's Executive Order Fifty-Three, (2) a business described in paragraph 6 of Executive Order Fifty-Three and closes as a result thereof, (3) an employee of any business described above who incurs a substantial reduction in income as a result of the restrictions set out in Executive Order Fifty-Three or (4) any other individual who incurs a substantial reduction in income which is directly attributable to the COVID-19 pandemic and who provides the Director or their assignee with documentation of such reduction. The waiver must be requested in writing by the customer and shall apply only to water, sewer,

and solid waste collection provided by the City. The Director or their designee may enter into payment arrangements with customers who receive waivers of penalty on such terms as the Director establishes.

2. The provisions of this Emergency Ordinance shall remain in full force and effect unless amended, rescinded or readopted by the Council in conformity with the notice provisions set forth in Virginia Code § 15.2-1427 but in no event shall such ordinance be effective for more than 6 months. Upon rescission by the Council or automatic expiration as described herein, this emergency ordinance shall terminate, and normal practices and procedures of government shall resume.

ADOPTED AND APPROVED this 14th day of April, 2020.

MAYOR

ATTESTEE:

CITY CLERK

APPROVED AS TO FORM: