



Legislation Text

File #: CB 119969, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light and Seattle Public Utilities Departments; temporarily removing the charge of interest on delinquent utility consumption and utilization accounts; superseding several sections under Title 21 that authorize and require the collection of interest on delinquent utility consumption and utilization accounts; and ratifying and confirming certain prior acts.

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency, beginning on January 27, 2020, as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States; and

WHEREAS, the Governor of the State of Washington on February 29, 2020 issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington; and

WHEREAS, on March 3, 2020, Seattle Mayor Jenny Durkan proclaimed a civil emergency exists in the City of Seattle; and

WHEREAS, the Governor of the state of Washington, on November 10, 2020, extended 27 proclamations in response to the continuing COVID-19 pandemic; and

WHEREAS, the Governor of the state of Washington, on November 15, 2020, announced a four-week statewide set of restrictions in response to the recent rapid spread of the COVID-19 virus in Washington and across the country; and

WHEREAS, while this practice of social distancing is critical in mitigating the rate of spread of the COVID-19 virus, it is having significant negative economic effects on the national and regional economy, in particular small businesses and workers in large sectors of the Seattle-area economy who cannot work

remotely; and

WHEREAS, Seattle Public Utilities has several Seattle Municipal Code provisions requiring collection of interest on delinquent utility consumption and utilization charges; and

WHEREAS, Seattle Municipal Code ("SMC") Section 21.49.130 authorizes the City Light Department to charge interest on delinquent utility consumption and utilization accounts, but requires compliance with SMC Chapter 3.02 procedures for any changes; and

WHEREAS, a consistent temporary policy towards relief from the collection of interest on delinquent utility consumption and utilization policy is intended for utility ratepayers having difficulty paying their bills in full; and

WHEREAS, the relief effectuated by Ordinance 126182, which extended the policy, expires January 1, 2021, necessitating another ordinance to continue the relief; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. No new interest charges shall be added to utility consumption and utilization accounts for residential customers, customers that are non-profit organizations as defined under Seattle Municipal Code subsection 5.30.040.C, or commercial customers with taxable gross annual receipts of less than \$5 million in 2019 on bills issued from January 1, 2021 until the earlier of:

- A. Termination of the civil emergency proclaimed by the Mayor on March 3, 2020; or
- B. June 30, 2021.

Section 2. To the extent the following sections or subsections of the Seattle Municipal Code that authorize or require the collection of interest on delinquent utility customer consumption and utilization charges are inconsistent with Section 1 of this ordinance, they are superseded during the time period stated in Section 1:

- 21.04.470.D (Bills for water used - Delinquency);
- 21.28.260 (Billing and collection of wastewater charges);

- 21.33.110 (Delinquent payments - Enforcement procedures);
- 21.40.070 (Commercial collection rates and charges);
- 21.40.080 (Recycling and disposal station rates);
- 21.40.120.C (Payment of charges - delinquency and lien); and
- 21.49.130.E (Authority).

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2020, and signed by me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

Approved by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)