

CITY OF DUVALL
WASHINGTON
ORDINANCE NO. 1261

**AN ORDINANCE OF THE CITY OF DUVALL,
WASHINGTON, ADOPTING A PUBLIC HEALTH
EMERGENCY AND/OR PANDEMIC UTILITY BILLING
POLICY AND PROCEDURE; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE.**

WHEREAS, Duvall Municipal Code (“DMC”) Section 9.02.010 “Billing Procedures” establishes the process upon which water, sewer, and storm drainage utilities provided by City of Duvall are billed for and related timelines for penalties including disconnection; and

WHEREAS, there is a need for a policy and related procedures related to utility billing during a declared public health emergency; and

WHEREAS, on March 4, 2020, the Mayor of Duvall declared an emergency pursuant to RCW 38.52.070, for the purpose of protecting public health and our employees as necessary in response to a public health emergency; and

WHEREAS, City Council wishes to establish a temporary policy in response to the COVID-19 public health emergency and related Declaration of Emergency made by the Mayor of Duvall and affirmed by City Council, to allow for the suspension of penalties and postponement of disconnections of water service; and

WHEREAS, the City will codify this policy by amending DMC Section 9.02.010 at a later date.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUVALL, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption of a Public Health Emergency and/or Pandemic Utility Billing Policy and Procedure: The Public Health Emergency and/or Pandemic Utility Billing Policy and Procedures “Policy” is hereby approved as set forth on the attached Exhibit “A”. The Policy is adopted as the rules the City will follow in public health emergencies as it relates to City of Duvall water, sewer, and storm drainage utility bills.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2020.

CITY OF DUVALL

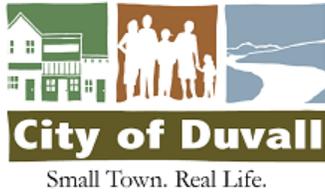
Mayor Amy Ockerlander

Approved as to form:

ATTEST/AUTHENTICATED:

City Attorney

Jodi Wycoff, City Clerk



**City of Duvall
Policy & Procedure**

TITLE:	Public Health Emergency and/or Pandemic Utility Billing Policy
EFFECTIVE DATE:	_____
APPROVED BY:	_____
	Name: _____ Title: _____
ATTORNEY REVIEW:	_____
	City Attorney
REVISION DATE:	
STAFF CONTACT:	Utility Billing Clerk

PURPOSE:

The purpose of this policy is to allow for suspending past due/pending disconnection penalties and postponement of water disconnection during a Declaration of Emergency related to an outbreak or pandemic illness or other Public Health Emergency.

SCOPE:

This policy applies to all City of Duvall utility customers.

DEFINITIONS:

“Public Health Emergency” means an occurrence or imminent threat of an illness or health condition, caused by bio terrorism, epidemic or pandemic disease, or (a) novel and highly fatal infectious agent or biological toxin, that poses a substantial risk of a significant number of human fatalities or incidents or permanent or long-term disability.

“Pandemic” means a disease that is prevalent over a region, country, or the world.

POLICY:

It is the policy of the City of Duvall to take all appropriate measures needed to address a public health emergency. Protecting the community and City staff is a top priority and this policy establishes actions that the City will take during a public health emergency related to City of Duvall utility bills including water, sewer and storm drainage.

During a declared public health emergency, it is the policy of the City of Duvall to postpone all disconnections to water service for the duration of the emergency. It is also the policy of the City of Duvall to suspend past-due penalties (also known as “Late Fees”, “Disconnection Notice Fees” and “Reconnection Fees”) for the duration of the declared emergency.

This policy does not suspend regular monthly utility charges for water, sewer and storm drainage utilities.

PROCEDURE:

The following procedures are established to allow for citizens to continue receiving water, sewer and storm drainage utility service, without penalty, during a declared public health emergency.

Notification

- A. Utility Billing will be notified when a Declaration of Emergency related to public health is proclaimed.
- B. Utility Billing will notify customers who are in arrears (past due and/or scheduled for disconnection) of the policy including an explanation that all past due amounts are still owed, and that additional penalties will be suspended and disconnections will be postponed for the duration of the declared emergency.
- C. Utility Billing will notify customers in arrears of payment arrangement options once the Declaration of Emergency has been lifted.

Reporting

- A. Utility Billing will track, by way of reports, utility accounts that go into arrears during the duration of the proclaimed emergency and submit the reports to Administration on a regular basis throughout the proclaimed emergency.

Post-Emergency Procedure

- A. After the Declaration of Emergency has been lifted, Utility Billing will notify customers in arrears of their account balances, date of potential disconnection and payment arrangement options. Payment arrangement options will be reviewed by the Finance Director on a case-by-case basis.
- B. Regular penalty and disconnection timelines, as outline in Duvall Municipal Code Section 9.02.010 "Billing Procedures", will be re-established the first day of the month following the Declaration of Emergency being lifted.