

MARANA ORDINANCE NO. 2020.006

RELATING TO UTILITIES; TEMPORARILY SUSPENDING ENFORCEMENT OF MARANA TOWN CODE SECTION 14-5-4 (NONPAYMENT OF DELINQUENT BILL; FILING OF LIEN; INTEREST) AS IT RELATES TO DISCONNECTING UTILITY SERVICE FOR NON-PAYMENT; AND DECLARING AN EMERGENCY

WHEREAS in late 2019, a novel coronavirus (COVID-19) emerged with the potential for serious health complications for older citizens and those with underlying health conditions; and

WHEREAS on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic and, on March 13, 2020, the President of the United States declared a national emergency as a result of COVID-19; and

WHEREAS as a precautionary measure to help mitigate the spread of COVID-19, the Town of Marana Water Department recommends temporarily suspending the disconnection of utility services for customers who are not paying their utility bill; and

WHEREAS temporarily suspending utility disconnection for non-payment is a recommended response to the COVID-19 pandemic by the American Water Works Association; and

WHEREAS utility customers will still remain financially responsible for all utility usage charges, including late fees, and the financial impact on the Town resulting from suspending utility disconnections is estimated to be minimal; and

WHEREAS the Town Council finds that revising Title 14 of the Marana Town Code regarding utilities as set forth in this ordinance is in the best interests of the Town and its residents.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

Section 1. As a precautionary measure intended to help mitigate the spread of a global pandemic, the Town will not disconnect Marana Water Department utility customer's water supply as a result of delinquent payment of a bill for a utility rate, charge or fee, and hereby temporarily suspends enforcement of Marana Town Code section 14-5-4 (A) as it relates to turning off a customer's water supply. Notwithstanding this temporary suspension, utility rates, charges and fees, including late fees, are still due and payable to the town upon billing for continued utility usage.

Section 2. This temporary suspension shall remain in effect until April 30, 2020, unless rescinded or extended by the Town Council.

Section 3. The various Town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. Because it is necessary for the preservation of the peace, health and safety of the Town of Marana that this ordinance become immediately effective, an emergency is hereby declared to exist, and this ordinance shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, by a vote of 6 in favor and 0 opposed this 17th day of March, 2020.

Mayor Ed Honea

ATTEST:

Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:

Frank Cassidy, Town Attorney

