



SEATTLE CITY COUNCIL

Legislative Summary

CB 119758

Record No.: CB 119758

Type: Ordinance (Ord)

Status: Passed

Version: 2

Ord. no: Ord 126058

In Control: City Clerk

File Created: 03/13/2020

Final Action: 03/24/2020

Title: 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; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Pedersen

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Reviewer:

Uploaded By: Emilia.Sanchez@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	03/13/2020	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	03/13/2020	sent for review	City Council			
	Action Text: The Council Bill (CB) was sent for review. to the City Council						
1	City Council	03/16/2020	referred	City Council			
1	City Council	03/19/2020	passed as amended				Pass
	Action Text: The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:						

Notes: ACTION 1:

Motion was made, duly seconded and carried, to pass Council Bill 119758.

ACTION 2:

Motion was made by Councilmember Pedersen, duly seconded and carried, to amend Council Bill 119758, by substituting Version 2 for version 1.

ACTION 3:

By unanimous consent, the Council Rules were suspended to allow Eric McConaghy and Brian Goodnight, Council Central Staff, to address the Council.

ACTION 4:

Motion was made by Councilmember Lewis, duly seconded and carried, to further amend Council Bill 119758, by amending Section 2, as shown in the underlined and strike through language below:

Section 2. 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 the time this ordinance takes effect until the earlier of:

- A. Termination of the civil emergency proclaimed by the Mayor on March 3, 2020; or
- B. August 1, 2020.

ACTION 4:

Motion was made, and duly seconded, to pass Council Bill 119758 as amended.

In Favor: 9 Councilmember González , Councilmember Herbold, Councilmember Juarez, Councilmember Lewis, Councilmember Morales, Councilmember Mosqueda, Councilmember Pedersen, Councilmember Sawant, Councilmember Strauss

Opposed: 0

Legislative Summary Continued (CB 119758)

2	City Clerk	03/20/2020	submitted for Mayor's signature	Mayor
2	Mayor	03/24/2020	Signed	
2	Mayor	03/24/2020	returned	City Clerk
2	City Clerk	03/24/2020	attested by City Clerk	

Action Text: The Ordinance (Ord) was attested by City Clerk.

CITY OF SEATTLE

ORDINANCE 126058

COUNCIL BILL 119758

..title

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; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

..body

WHEREAS, the World Health Organization has announced novel coronavirus (COVID-19) is officially a global pandemic; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

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

WHEREAS, the Washington Governor has declared a state of emergency in response to new cases of COVID-19, and on March 11, 2020 announced a ban on gatherings and events of more than 250 people in King, Snohomish, and Pierce Counties, and on March 16, 2020 tightened the ban to no more than 50 people among other efforts to contain the coronavirus outbreak; and

WHEREAS, on March 13, 2020, the President of the United States declared a national state of emergency in response to the COVID-19 pandemic; and

WHEREAS, the COVID-19 outbreak presents an extreme risk of person-to-person transmission of the virus and public health experts worldwide advise the best way to prevent a

1 calamitous explosion of cases is to prevent infected people from coming in close contact
2 with healthy ones; and

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

7 WHEREAS, Seattle Public Utilities and Seattle City Light have a long history of providing
8 assistance to low-income customers; and

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

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

14 WHEREAS, a consistent temporary policy towards relief from the collection of interest on
15 delinquent utility consumption and utilization policy is intended for utility ratepayers;
16 NOW, THEREFORE,

17 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

18 Section 1. The City Council finds and declares that:

19 A. Pursuant to chapter 38.52 RCW, Article V, Section 2 of the City Charter, and Seattle
20 Municipal Code subsection 10.02.010.A, the Mayor proclaimed a Civil Emergency on March 3,
21 2020 due to the novel coronavirus (COVID-19).

22 B. Delinquency rates on consumer loans in the United States have been trending upward,
23 which tends to correlate with increases in unemployment.

1 C. Utility bills combined with the public health emergency for novel COVID-19 will
2 inherently have a disproportionate negative impact on low-wage workers, individuals on fixed
3 incomes, non-profit organizations and small businesses, inhibiting their ability to pay utility bills
4 before their due date.

5 D. Several sections of the Seattle Municipal Code allow the City Light Department and
6 Seattle Public Utilities to charge interest on delinquent bill balances.

7 E. Temporarily waiving the charging of interest on delinquent bill balances as soon as
8 possible is necessary both to help ease the negative impact on low-wage workers, individuals on
9 fixed incomes, non-profit organizations and small businesses and to reduce the frequency of in-
10 person bill payment during the emergency.

11 Section 2. No new interest charges shall be added to utility consumption and utilization
12 accounts for residential customers, customers that are non-profit organizations as defined under
13 Seattle Municipal Code subsection 5.30.040.C, or commercial customers with taxable gross
14 annual receipts of less than \$5 million in 2019 on bills issued from the time this ordinance takes
15 effect until the earlier of:

- 16 A. Termination of the civil emergency proclaimed by the Mayor on March 3, 2020; or
17 B. August 1, 2020.

18 Section 3. To the extent the following sections or subsections of the Seattle Municipal
19 Code that authorize or require the collection of interest on delinquent utility customer
20 consumption and utilization charges are inconsistent with Section 2 of this ordinance, they are
21 superseded during the time period stated in Section 2:

22 21.04.470.D (Bills for water used – Delinquency);

23 21.28.260 (Billing and collection of wastewater charges);

1 21.33.110 (Delinquent payments – Enforcement procedures);

2 21.40.070 (Commercial collection rates and charges);

3 21.40.080 (Recycling and disposal station rates);

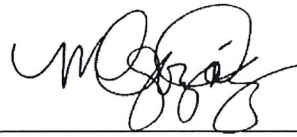
4 21.40.120.C (Payment of charges – delinquency and lien); and

5 21.49.130.E (Authority).

6 Section 4. Based on the findings of fact set forth in Section 1 of this ordinance, the
7 Council finds and declares that this ordinance is a public emergency ordinance, which shall take
8 effect immediately and is necessary for the protection of the public health, safety, and welfare.

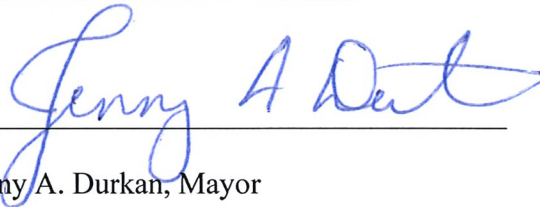
Section 5. By reason of the findings set out in this ordinance, and the emergency that is declared to exist, this ordinance shall become effective immediately upon a passage by a 3/4 vote of the Council, and its approval by the Mayor, as provided in Article IV, subsection 1.I of the Charter of the City.

Passed by a 3/4 vote of all the members of the City Council the 19th day of March, 2020, and signed by me in open session in authentication of its passage this 19th day of March, 2020.



President _____ of the City Council

Approved by me this 24th day of March, 2020.



Jenny A. Durkan, Mayor

Filed by me this 24th day of March, 2020.



Monica Martinez Simmons, City Clerk

(Seal)



STATE OF WASHINGTON -- KING COUNTY

--SS.

383778

No. 126058

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

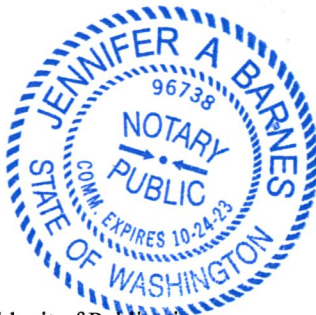
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 126057 AND

was published on

04/10/20

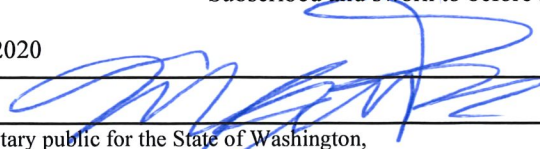
The amount of the fee charged for the foregoing publication is the sum of \$66.95.



Affidavit of Publication


Subscribed and sworn to before me on

04/10/2020


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on March 19, 2020, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 126057

Council Bill 119757

AN ORDINANCE amending Ordinance 126000, which adopted the 2020 Budget; changing appropriations to the Human Services Department, the Executive Department's Office of Economic Development, and budget control levels, and from various funds in the Budget, for the purpose of providing financial assistance to small businesses; and ratifying and confirming certain prior acts.

Ordinance 126058

Council Bill 119758

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; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

Date of publication in the Seattle Daily Journal of Commerce, April 10, 2020.

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