

IN THE CITY COUNCIL  
FOR THE CITY OF HOOD RIVER, OREGON

**ORDINANCE NO. 2058**

**An Ordinance amending Title 12 (Public Utilities) Chapter 12.02 (Water Service), Section 12.02.190 (Billing, due dates, delinquencies and Liens) of the Hood River Municipal Code, to provide the City Manager the discretion to adopt alternative water bill payment schedules, disconnection policies and reduction of late payment penalties during an emergency situation, and declaring an emergency.**

The Hood River City Council finds as follows:

**WHEREAS**, the City's water utility bills its customers on a monthly basis and provides for service disconnection and monetary penalties for late payment of utility bills, but provides no discretion for any such penalties in the event of an emergency or community-wide economic hardship; and

**WHEREAS**, the City's regulations governing its water utility and all aspects of customer billing and payment are set forth in Title 12 (Public Utilities) Chapter 12.02 (Water Service), of the Hood River Municipal Code (HRMC); and

**WHEREAS**, in particular HRMC 12.02.190 provides regulations for water utility billing, due dates for bill payment, and penalties for late payment, but provides no discretion for granting relieve or alternative bill payment schedules in the event of a declared emergency that affects the local economy; and

**WHEREAS**, the current COVID-19 global pandemic has had a devastating effect on the City's economy and the economic wellbeing of its citizens and utility customers, and as a result, the City has seen a significant number of its citizens unable to pay their water utility bills on time; and

**WHEREAS**, the Council sees a need for discretion and the ability to grant relief to utility customers experiencing a short-term economic hardship by allowing time payments and the authority to waive late-payment penalties; and

**WHEREAS**, the City Council considered an amendment to HRMC 12.02.190 (Billing, due dates, delinquencies and Liens) that would allow the City Manager the discretion to structure repayment plans and waive late-payment penalties for customers during a declared emergency such as the current COVID-19 global pandemic, at its regular meeting on December 14, 2020.

**NOW, THEREFORE**, based on the foregoing findings, which are incorporated herein by this reference, the Hood River City Council Ordains as follows:

**Section 1 – Amendment.** Title 12 (Public Utilities) Chapter 12.02 (Water Service), Section 12.02.190 (Billing, due dates, delinquencies and Liens) of the Hood River Municipal Code shall be amended to provide as follows (new language is underlined):

**12.02.190 Billing, due dates, delinquencies and Liens.**

Charge for water used shall be computed as frequently as deemed feasible. Bills shall become due and payable on the first day of the month following the reading of the meter for metered services. All billing shall become delinquent on the 10th of the month following the billing. After delinquency, a past due reminder shall be mailed to each account on the first day of the following month. If not paid by the tenth day following the past due reminder, a final delinquent notice shall be sent and the user shall be advised that if payment is not received by the city within five days of the date of the mailing of the notice, then water service will be discontinued without further notice. A fee shall be charged and collected before the service shall be turned on again. If the water meter is removed because of nonpayment of bills, the actual cost of removing and replacing the meter plus ten percent shall be paid in addition to all other charges. In the event of an emergency declared by the City Manager, the Mayor or Governor or in any other unusual circumstance detrimentally impacting the local economy, the City Manager may in her/his sole discretion adopt alternative temporary written billing policies designed to address and alleviate the economic hardships. These policies may include relaxed utility service disconnect policies, time payment plans, and the reduction or waiver of late fees and penalties. Temporary policies enacted by the City Manager under this authority will be communicated to the City Council. The City Manager shall not waive or reduce utility charges without City Council approval.

**Section 2 – Emergency Clause.** The current COVID-19 global pandemic has inflicted significant economic harm on the City's residents, businesses and its utility customers. The City Manager and Mayor have both declared emergencies based on the state, county and local response required to address the COVID-19 global pandemic. The economic situation for many city utility customers is dire and constitutes an emergency situation that warrants this ordinance taking effect immediately upon its second reading by the City Council.

**Read for the First Time** on December 14, 2020.

**Read for the Second Time** and approved on December 14, 2020.

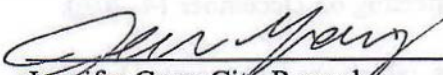
This Ordinance shall take effect immediately upon the second reading.


AYES: 7  
NAYS: 0  
ABSTAIN: 0  
ABSENT: 0

  
Kate McBride, Mayor

ATTEST:

Approved as to form:

  
Jennifer Gray, City Recorder

  
Daniel Kearns, City Attorney