

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 90-20

AN ORDINANCE

authorizing a temporary deviation from certain City Code provisions relating to the assessment of penalties, late charges and service fees on utility customer service accounts; authorizing residential landlords to obtain utility service for a rental unit without a certificate of compliance; declaring an emergency for enactment; and fixing the time when this ordinance shall become effective.

WHEREAS, the novel coronavirus disease (COVID-19) is considered an infectious, highly contagious communicable and dangerous disease and on March 11, 2020 was declared by the World Health Organization to be a pandemic; and

WHEREAS, due to the COVID-19 pandemic there have been declarations of emergency enacted by the President of the United States, the Governor of the State of Missouri and the City of Columbia; and

WHEREAS, on March 25, 2020 due to presence of COVID-19 and the existence of community spread of the disease within the City, the Director of Public Health and Human Services (“Director”) issued a Stay at Home Order mandating all persons within the City of Columbia stay at home or at their place of residence except for carrying out Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations as more fully set forth in such order; and

WHEREAS, in order to preserve the safety, health and welfare of the community during the COVID-19 emergency, the City Manager has temporarily suspended certain provisions of the City Code related to the assessment of services fees, penalties and late charges on utility customer accounts; and

WHEREAS, the City Council finds the suspension of such actions by the City Manager in response to the COVID-19 pandemic to be in the best interest of the citizens of the City of Columbia; and

WHEREAS, due to the COVID-19 pandemic the City Council finds it is necessary for the immediate preservation of public health and safety to affirm such acts of the City Manager; and

WHEREAS, in order to protect such rights it is necessary for the City Council to authorize such steps as an emergency ordinance on the day of introduction so that such actions may continue in effect to the benefit of the citizens of Columbia; and

WHEREAS, the City Council further finds such enactment will cause no harm to the public and is in the best interest of the citizens of the City of Columbia and advisable to promote and protect the public health, safety and general welfare of the city.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Incorporation of findings. The City Council makes and reaffirms the findings set forth above and incorporates the same by reference as if fully set forth herein.

SECTION 2. Emergency clause, effective date and duration. Due to the community spread of the COVID-19 pandemic within the City of Columbia and for the immediate preservation of public health and safety, this ordinance is enacted as an emergency ordinance within the meaning of Article II of Section 15 of the Home Rule Charter of the City. This ordinance shall go into effect immediately after its passage by six-sevenths (6/7) of the members of the City Council and shall remain in effect for so long as the declared state of emergency exists within the City of Columbia due to the COVID-19 pandemic or this ordinance is repealed, whichever occurs first.

SECTION 3. Section 27-19(f) temporarily waived. The provisions of Section 27-19(f) of the City Code relating to the requirement to assess a late charge on all delinquent utility accounts are hereby temporarily waived during the period of declared City emergency for COVID-19.

SECTION 4. Section 27-19(m) temporarily waived. The provisions of Section 27-19(m) of the City Code relating to the requirement of the Finance Department Director to assess a service charge to all customers paying by credit card are hereby temporarily waived during the period of declared City emergency for COVID-19.

SECTION 5. Section 27-20(b) temporarily waived. Due to the suspension of services by the Community Development Department for rental inspections, the provisions of Section 27-20(b) of the City Code relating to the requirement of a residential landlord to provide proof of a valid certificate of compliance for a rental inspection are hereby temporarily waived until such time as the Community Development Department resumes inspections and issuance of such certificates of compliance.

SECTION 6. Ordinance supersedes any prior code, policy or practice. To the extent any provision of the City Code or prior policy or practice of the City Council is in conflict with this ordinance, the provisions of this ordinance shall supersede such provisions.

PASSED this _____ day of _____, 2020.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor