

MARANA ORDINANCE NO. 2020.022

RELATING TO UTILITIES; RESCINDING MARANA ORDINANCE NO. 2020.006, AS EXTENDED BY MARANA ORDINANCE NO. 2020.007, WHICH TEMPORARILY SUSPENDED 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 AUTHORIZING TOWN STAFF TO IMPLEMENT PAYMENT PLAN OPTIONS AND OTHER CUSTOMER ASSISTANCE PROGRAMS FOR THE COLLECTION OF DELINQUENT PAYMENTS

WHEREAS, on March 17, 2020, Mayor Ed Honea issued a Proclamation of Local Emergency in response to the actions taken by federal, state, and local jurisdictions in addressing conditions related to the COVID-19 pandemic outbreak; and

WHEREAS, on March 17, 2020, the Marana Town Council adopted Marana Ordinance No. 2020.006, temporarily suspending 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 through April 30, 2020, as a precautionary measure to help mitigate the spread of COVID-19; and

WHEREAS, on April 21, 2020, the Marana Town Council adopted Marana Ordinance No. 2020.007, extending the expiration date of Marana Ordinance No. 2020.006 until the time upon which Mayor Ed Honea issues a proclamation declaring the end of the local emergency resulting from COVID-19; and

WHEREAS notwithstanding the temporary suspension of disconnections, utility customers remained responsible for paying all utility rates, charges, and fees upon billing for continued utility usage; and

WHEREAS delinquent receivables for non-payment of water bills have significantly increased since March and are currently at approximately \$75,000; and

WHEREAS to ensure adequate funding remains available for day-to-day operations of the water and sewer systems and to prevent customers from falling farther behind, it is necessary to reinstate disconnections for non-payment of water bills; and

WHEREAS the Town Council finds that rescinding Marana Ordinance No. 2020.006 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. Marana Ordinance No. 2020.006, as extended by Marana Ordinance No. 2020.007, is hereby rescinded effective February 1, 2021.

Section 2. Town staff is hereby authorized and directed to implement payment plan options and other customer assistance programs to assist in collecting delinquent payments owed to the Water Department for service.

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.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 15th day of December, 2020.

Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

Cherry L. Lawson, Town Clerk

Jane Fairall, Town Attorney