

1st READING 06/01/2020  
2nd READING 06/01/2020  
3rd READING 06/01/2020

**RESOLUTION NUMBER 2020-15**

**A RESOLUTION AUTHORIZING A WAIVER OF DISCONNECT ORDERS  
AND A WAIVER OF THE PAST DUE PENALTY ASSESSED  
ON ALL UTILITY BILLS OF ST. CLAIRSVILLE MUNICIPAL  
UTILITIES FOR THE BILLING PERIOD OF 06/01/2020 TO  
06/30/2020, ONLY, AND DECLARING AN EMERGENCY**

Be it resolved by the Council of the City of St. Clairsville, Ohio:

**WHEREAS**, on March 09, 2020, the Governor of the State of Ohio, Mike DeWine, signed Executive Order 2020-01D, Declaring a State of Emergency for the entire State of Ohio “. . . to protect the well-being of the citizens of the Ohio from the dangerous effects of COVID-19, to justify the authorization of personnel of State departments and agencies as are necessary, to coordinate the State response to COVID-19, and to assist in protecting the lives, safety, and health of the Citizens of Ohio.”; and,

**WHEREAS**, on March 22, 2020, Dr. Amy Acton, MD, MPH, Director of the Ohio Department of Health (ODH) issued a Director’s Order that All Persons Stay at Home Unless Engaged in Essential Work, or Activity for the purpose of preventing the spread of COVID-19 into the State of Ohio; and,

**WHEREAS**, on March 27, 2020, the Governor of the State of Ohio, Mike DeWine, signed into law Amended Substitute House Bill 197, in order to “. . . respond to the declared pandemic and global health emergency related to COVID-19 which in part prohibits public water disconnections during the pandemic since they are not governed by PUCO non disconnect orders; and,

**WHEREAS**, in the Codified Ordinances of the City of St. Clairsville, Ohio, Chapter 945, Termination of Services, Section 945.01, the City of St. Clairsville established the due date for Utility Bills and established the penalty for late payment of said bills, which reads as follows:

**945.01 DUE DATE FOR UTILITY BILLS; PENALTY.**

The City has provided the due date for all utility bills of St. Clairsville municipal utilities to be the twenty-third of each month. Any outstanding bills after the twenty-third are subject to a penalty of ten percent (10%) of the current bill. (Ord. 2003-23. Passed 7-21-03.); and,

**WHEREAS**, in the Codified Ordinances of the City of St. Clairsville, Ohio, Chapter 945, Termination of Services, Section 945.02(a), the City of St. Clairsville established a disconnection policy for unpaid Utility bills, which reads as follows:

**945.02 DISCONNECTION NOTICES.**

(a) Disconnect notices are mailed to each consumer with an outstanding bill. The disconnect notice has a due date of the eleventh of the following month or the following business day should the eleventh fall on a weekend. The amount shown on the disconnect notice is inclusive of the ten percent (10%) penalty of the current bill.

**WHEREAS**, as a result of the economic uncertainty created by the COVID-19 pandemic and the Federal and State of Ohio responses to stem the spread of said virus, the Mayor has recommended that the disconnection of municipal utilities be waived and that the late payment penalty of ten percent (10%) for St. Clairsville Municipal Utility bills also be waived for the billing period of 06/01/2020 to 06/30/2020, only; and,

**WHEREAS**, as a result of the economic uncertainty created by the COVID-19 pandemic and the Federal and State of Ohio responses to stem the spread of said virus, the Council for the City of St. Clairsville desires that the disconnection of municipal utilities be waived and that the late payment penalty of ten percent (10%) for St. Clairsville Municipal Utility bills also be waived for the billing period of 06/01/2020 to 06/30/2020, **only**.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. CLAIRSVILLE, OHIO:**

**Section 1:** That as a result of the economic uncertainty created by the COVID-19 pandemic and the Federal and State of Ohio responses to stem the spread of said virus, the disconnection of municipal utilities for non-payment of outstanding bills as provided for in the

Codified Ordinances of the City of St. Clairsville, Ohio, Chapter 945, Termination of Services, Section 945.02, Disconnection Notices is hereby waived for the municipal utilities billing period of 06/01/2020 to 06/30/2020, **only**.

**Section 2:** That as a result of the economic uncertainty created by the COVID-19 pandemic and the Federal and State of Ohio responses to stem the spread of said virus, the ten percent (10%) late payment penalty provided for in the Codified Ordinances of the City of St. Clairsville, Ohio, Chapter 945, Termination of Services, Section 945.01, Due Date for Utility Bills, Penalty, is hereby waived for the municipal utilities billing period of 06/01/2020 to 06/30/2020, **only**.

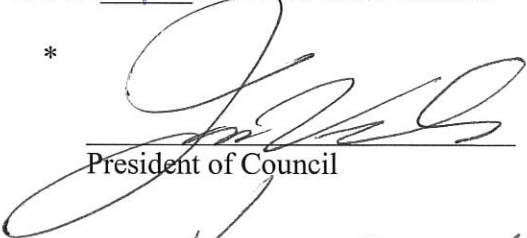
**Section 3:** That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and the safety of the residents of the City of St. Clairsville.

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PASSED at a meeting of the Council of the City of St. Clairsville on this 1<sup>ST</sup> day of JUNE, 2020, by the affirmative vote of 7 members of the council.

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Passed: JUNE 1, 2020

  
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President of Council

Approved: JUNE 1, 2020

  
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Mayor

  
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Clerk of Council