



EMERGENCY ORDER NO. 2020-05

**ORDER RELATING TO THE TEMPORARY SUSPENSION OF WATER AND WASTEWATER
LATE PAYMENT FEES AND SHUTOFFS**

WHEREAS, the Novel Coronavirus Disease 2019 (COVID-19) epidemic may cause life threatening conditions for the residents of the City of North Port; and

WHEREAS, on March 9, 2020, Florida Governor Ron DeSantis issued Executive Order Number 20-52, declaring that a state of emergency exists in every county in the State of Florida; and

WHEREAS, on March 17, 2020, the City Commission of the City of North Port, Florida adopted Ordinance No. 2020-18, declaring a state of local emergency due to the COVID-19; and

WHEREAS, Ordinance No. 2020-18 conferred on the City Manager or designee the power and authority set forth in Florida Statutes Section 252.38(3)(a); and

WHEREAS, pursuant to Florida Statutes Section 252.46, the City Manager has the power to issue emergency orders with the force of the law; and

WHEREAS, this Order is necessary for emergency management purposes and to ensure the health, safety, and welfare of the community; and

WHEREAS, Section 78-24 of the Code of the City of North Port, Florida provides general terms and conditions regarding water and wastewater services. This section assesses late fees and delinquent processing fees, and provides that the City may withhold or discontinue service when payment on an account is delinquent; and

WHEREAS, Section 78-36 of the Code of the City of North Port, Florida provides for the adoption of late payment fees and Appendix A enumerates specific fees associated with delinquent accounts; and

WHEREAS, many City residents and businesses have been impacted financially by this emergency; and

WHEREAS, allowing a temporary suspension of late fees, delinquent processing fees, and shutoff of utility service will protect the health and safety of residents, and benefit businesses, thereby benefitting the local economy and the public.

IN HIS EMERGENCY AUTHORITY, THE CITY MANAGER OF THE CITY OF NORTH PORT, FLORIDA ORDERS:

1. The following fees are temporarily waived beginning March 17, 2020 for water and wastewater services:
 - a. Late payment fees;
 - b. Delinquency processing fees; and
 - c. Delinquency service fees.
2. The City will temporarily suspend the withholding and discontinuation of water and wastewater services for accounts eligible to be charged late and/or delinquent processing fees beginning March 17, 2020. For all accounts, bills will not become delinquent until sixty (60) days following the expiration of this order.
3. This order does not operate to waive, release, or in any other way affect the City's existing utility liens.
4. To the extent this order conflicts with any provision of the Code of the City of North Port, Florida, this order controls.

This order is effective immediately. Unless otherwise terminated, this order expires simultaneously with the expiration of the state of local emergency.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF NORTH PORT, FLORIDA ON APRIL 6, 2020 AT
3:00 A.M./P.M. BY



Peter D. Lear, CPA, CGMA
City Manager