

RESOLUTION NO 04202020-2

A RESOLUTION TEMPORARILY SUSPENDING THE APPLICATION OF DEFERED PAYMENT CHARGES FOR THE DELIQUENT PAYMENT OF UTILITY BILLS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, On March 6, 2020, the Governor of Indiana declared a public health emergency as a result of the outbreak of the COVID-19 virus; and,

WHEREAS, the outbreak of the COVID-19 virus has resulted in the closure or curtailment of numerous businesses; and,

WHEREAS, such closures have created and will continue to create financial hardships for many citizens of New Castle; and,

WHEREAS, Indiana Code §10-14-3-22, provides that a political subdivision may enter orders, rules, and regulations during the existence of a public health emergency that are necessary for emergency management purposes; and,

WHEREAS, the Common Council of the City of New Castle, Indiana believes that it is necessary to suspend the application of late payment charges on monthly utility bills during the existence of the public health emergency in order to assist citizens that have been negatively impacted by the public health emergency.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of New Castle, Indiana as follows:

1. From and after the date of passage of this Resolution, the City shall not impose a deferred payment charge on any bill for utility service that is not timely paid, including in particular, the charges detailed in §50.112 (A)(7) and §51.25(L) of the City Code.
2. All other provisions of the City Code related to charges for, and provision of, utility service shall continue in effect.
3. Upon execution by the Mayor, this Resolution shall be deemed an Order entered pursuant to Indiana Code §10-14-3-22.
4. The suspension of deferred payment charges on untimely paid utility bills shall continue in effect during the existence of the declared public health emergency or until earlier terminated by the Common Council.

REPEALER: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be

deemed omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS
____ DAY OF _____, 2020.

Greg York, Presiding Officer,
Common Council, City
of New Castle, Indiana

ATTEST:

Brenda Grider, Clerk-Treasurer

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NAY

APPROVED BY ME THIS ____ DAY OF _____, 2020.

Greg York, Mayor of the City
of New Castle, Indiana