



ORDINANCE NO. 28577

1 AN ORDINANCE amending Chapter 12.01 of the Municipal Code, relating to
2 Utility Charges, to extend the waiver of power and water utility connection
3 and inspection fees for cities in Tacoma Power and Tacoma Water service
4 territories during the current declared state of emergency, relating to the
5 conditions of homeless encampments located in the City, retroactive to
6 January 1, 2019, and sunseting on December 31, 2019; and declaring an
7 emergency, making necessary the passage of this ordinance and it
8 becoming effective immediately.

9 WHEREAS, on May 2, 2017, the City Council adopted Resolution
10 No. 39716, directing the City Manager to prepare and present an Emergency
11 Temporary Aid and Shelter Program to respond to the homelessness crisis, and to
12 prepare and present an ordinance declaring a state of emergency, and

13 WHEREAS, on May 9, 2017, the City Council passed Ordinance No. 28430
14 (“Emergency Ordinance”), declaring a state of public health emergency relating to
15 the conditions of homeless encampments located in the City, effective through
16 October 9, 2017, and

17 WHEREAS, on June 6, 2017, by motion, the City Council approved a
18 temporary emergency aid and shelter plan with a three-phased approach
19 (Mitigation, Stabilization, and Short-Term Transitional Housing) at a projected cost
20 of \$3.4 million, and

21 WHEREAS, on July 12, 2017, pursuant to Resolution U-10942, the Public
22 Utility Board authorized the waiver of connection and inspection fees, upon request,
23 for cities within Tacoma Power and Tacoma Water’s service territories providing
24 facilities for sheltering low-income and/or infirm persons, effective through
25 October 9, 2017, and
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WHEREAS Ordinance No. 28440, passed July 18, 2017, authorized the waiver of said connection and inspection fees through October 9, 2017, and further provided that the City Council review the conditions giving rise to the public health emergency to determine whether such conditions warranted keeping in place the extraordinary measures authorized to respond to the public health emergency, and

WHEREAS after review, the City Council passed Ordinance No. 28457 on October 3, 2017, extending the sunset date of the public emergency declaration made pursuant to the Emergency Ordinance from October 9, 2017, to December 31, 2017, and

WHEREAS, on December 12, 2017, the City Council passed Ordinance No. 28477, extending the sunset date of the public emergency declaration from December 31, 2017, to December 31, 2018, and

WHEREAS, on December 4, 2018, the City Council passed Ordinance No. 28565, extending the sunset date of the public emergency declaration from December 31, 2018, to December 31, 2019, and

WHEREAS the City Council conducted a third review of the conditions giving rise to the declaration of a public emergency and determined that the continuing and ongoing threat of significant harm to human health and life arising from the conditions in homeless encampments, as described in the Emergency Ordinance, have not yet been abated by the City's actions, resulting in the continued existence of the public emergency as declared pursuant to the Emergency Ordinance, and



1 WHEREAS the Public Utility Board believes it is in the best interests of
2 the utility rate payers and the community at large to continue to provide for utility
3 services for the poor and infirm during the current declared state of emergency
4 by extending the waiver of connection and inspection fees for cities in Tacoma
5 Power and Tacoma Water's service territories establishing facilities for the
6 sheltering of low-income and/or infirm persons to December 31, 2019, and
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8 WHEREAS Section 4.11 of the Tacoma City Charter requires that all
9 matters relating to the "incurring of indebtedness . . . shall be initiated by the
10 Board, subject to approval by the Council, and executed by the Board," prior to
11 acceptance of the Agreement, and
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13 WHEREAS, by adoption of Public Utility Board Resolution No. U-11050 on
14 December 12, 2018, the proposed extension of waiver was approved, pending
15 confirmation from the City Council; Now, Therefore,
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17 BE IT ORDAINED BY THE CITY OF TACOMA:

18 Section 1. That Chapter 12.01 of the Tacoma Municipal Code, relating to
19 Utility Charges, is hereby amended as set forth in the attached Exhibit "A."

20 Section 2. That, due to the existence of a previously declared public
21 emergency, as declared in Ordinance No. 28565, this ordinance is effective upon
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passage by an affirmative vote of at least six members of the City Council, and the amendment Chapter 12.01 of the Tacoma Municipal Code is made retroactive to January 1, 2019.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Requested by Public Utility Board
Resolution No. U-11050



EXHIBIT "A"

**Chapter 12.01
UTILITY CHARGES**

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Sections:

- 12.01.010 Utility services establishment.
- 12.01.020 Utility field collection call.
- 12.01.030 Invoicing and late payment fee.
- 12.01.040 Residential conservation loan program charges – Light Division.
- 12.01.050 Waiver of utility connection and inspection charges during declared emergency.

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12.01.050 Waiver of utility connection and inspection charges during declared emergency.

Pursuant to Washington State Constitution Article VIII, section 7, and RCW 35.92.380, upon request, the Director of Utilities is authorized to waive all electric and water connection and inspection fees for cities (including the City of Tacoma) within Tacoma Power and Tacoma Water service territories that are providing facilities for sheltering low-income and/or infirm persons. Such authority is contingent upon the city passing an ordinance declaring a state of public health emergency. This section shall sunset on December 31, 2019~~8~~.