



ORDINANCE NO. 28487

1 AN ORDINANCE relating to the Department of Public Utilities; amending Tacoma
2 Municipal Code 12.01.050 to extend the waiver of power and water utility
3 connection and inspection fees, upon request, for cities in Tacoma Power
4 and Tacoma Water service territories during the current declared state of
5 emergency, relating to the conditions of homeless encampments located in
6 the City, through December 31, 2018; and declaring an emergency, making
7 necessary the passage of this ordinance and it becoming effective
8 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
26



1 WHEREAS Ordinance No. 28440, passed July 18, 2017, authorized the
2 waiver of said connection and inspection fees through October 9, 2017, and further
3 provided that the City Council review the conditions giving rise to the public health
4 emergency to determine whether such conditions warranted keeping in place the
5 extraordinary measures authorized to respond to the public health emergency, and
6

7 WHEREAS after review, the City Council passed Ordinance No. 28457 on
8 October 3, 2017, extending the sunset date of the public emergency declaration
9 made pursuant to the Emergency Ordinance from October 9, 2017, to
10 December 31, 2017, and
11

12 WHEREAS, on December 12, 2017, the City Council passed Ordinance
13 No. 28477, extending the sunset date of the public emergency declaration from
14 December 31, 2017, to December 31, 2018, and
15

16 WHEREAS the City Council conducted a second review of the conditions
17 giving rise to the declaration of a public emergency and determined that the
18 continuing and ongoing threat of significant harm to human health and life arising
19 from the conditions in homeless encampments, as described in the Emergency
20 Ordinance, have not yet been abated by the City's actions, resulting in the
21 continued existence of the public emergency as declared pursuant to the
22 Emergency Ordinance, and
23

24 WHEREAS the Public Utility Board believes it is in the best interests of the
25 utility rate payers and the community at large to continue to provide for utility
26 services for the poor and infirm during the current declared state of emergency by



1 extending the waiver of connection and inspection fees for cities in Tacoma Power
2 and Tacoma Water's service territories establishing facilities for the sheltering of
3 low-income and/or infirm persons to December 31, 2018, and
4

5 WHEREAS Section 4.11 of the Tacoma City Charter requires that all
6 matters relating to the "incurring of indebtedness . . . shall be initiated by the
7 Board, subject to approval by the Council, and executed by the Board," prior to
8 acceptance of the Agreement, and
9

10 WHEREAS, by adoption of Public Utility Board Resolution No. U-10986
11 on January 24, 2018, the proposed extension of waiver was approved, pending
12 confirmation from the City Council; Now, Therefore,
13

14 BE IT ORDAINED BY THE CITY OF TACOMA:

15 Section 1. That Chapter 12.01 of the Tacoma Municipal Code, relating to
16 Utility Charges, is hereby amended as set forth in the attached Exhibit "A."
17
18
19
20
21
22
23
24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Section 2. That, due to the existence of a previously declared public emergency, as declared in Ordinance No. 28430, this ordinance is effective upon passage by an affirmative vote of at least six members of the City Council.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Requested by Public Utility Board
Resolution No. U-10986



EXHIBIT "A"

Chapter 12.01

UTILITY CHARGES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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.

* * *

* * *

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 ~~October 9, 2017~~ December 31, 2018.