

Issue Analysis Form



Date: May 26, 2020
Ordinance to Waive Penalties
and Interest for Payments for
Water and Wastewater
Services

Item:

Lead Department(s): County Attorney

Contact Person(s): Dan Whitten

Description and Current Status

On April 9, 2020, the Board of Supervisors of Prince George County confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency in Prince George County.

The Board of Supervisors of Prince George County wishes to assist its residents and businesses as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic. The Board of Supervisors has determined that providing taxpayers relief from penalties and interest associated with late remittances of utility fees will promote continuity of government and grant needed relief to businesses and individuals affected by the disaster.

On April 14, 2020, the Board of Supervisors of Prince George County adopted an emergency ordinance amendment waiving penalty and interest for payments for water and wastewater services due May 15, 2020 if received by July 15, 2020 and for payments due June 15, 2020 if received by August 15, 2020. The Ordinance would only be effective through August 15, 2020.

The Board of Supervisors needs to re-adopt this emergency ordinance within 60 days pursuant to the public notice required under Virginia Code § 15.2-1427.

A draft ordinance is attached for consideration; a motion approving the ordinance is requested.

Sample Motion: I move that the Board approve the Ordinance Waiving Penalties and Interest for payments for Water and Wastewater Services.

Does this require IDA action?

Yes No

Does this require BZA action?

Yes No

Does This require Planning Commission Action?

Yes No

Does this require Board of Supervisors action?

Yes No

Does this require a public hearing?

Yes No

If so, before what date?

Yes No

Fiscal Impact Statement

County Impact

Notes

**ORDINANCE TO WAIVE PENALTIES AND INTEREST FOR PAYMENTS FOR
WATER AND WASTEWATER SERVICES**

WHEREAS, on April 9, 2020, the Prince George County Board of Supervisors confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency in Prince George County; and

WHEREAS, on April 14, 2020, the Board of Supervisors of Prince George County, Virginia adopted an emergency ordinance for continuity of operations associated with the pandemic disaster; and

WHEREAS, the emergency ordinance would expire in 60 days unless re-adopted by the Board of Supervisors after public notice in accordance with Virginia Code § 15.2-1427(F); and

WHEREAS, the Prince George County Board of Supervisors wishes to assist its residents and businesses as the community contends with the state of emergency and disaster caused by the COVID-19 pandemic; and

WHEREAS, the Board of Supervisors has determined that providing taxpayers relief from penalties and interest associated with late remittances of utility fees will promote continuity of government and grant needed relief to businesses and individuals affected by the disaster; and

WHEREAS, the ordinance will only be effective through August 15, 2020.

NOW THEREFORE, BE IT ORDAINED BY THE PRINCE GEORGE COUNTY BOARD OF SUPERVISORS:

1. Reduction of Penalties and Interest for Late Payments for Water and Wastewater Services.
 - (i) Billing Cycle 1 – Notwithstanding the provisions of Prince George County Code § 82-265 and § 82-540, for all payments for water and wastewater services due May 15, 2020, penalty and interest shall be added and collected as follows: penalty and interest of zero percent (0%) for all payments received on or before July 15, 2020, and thereafter a penalty of ten (10) percent and interest at a rate of ten (10) percent per annum for all payments for water and wastewater services that were due May 15 but not paid on or before July 15, 2020.
 - (ii) Bill Cycle 2 – Notwithstanding the provisions of Prince George County Code § 82-265 and §82-540, for all payments for water and wastewater services due June 15, 2020, penalty and interest shall be added and collected as follows: penalty and interest of zero percent (0%) for all payments received on or before August 15, 2020, and thereafter a penalty of ten (10) percent and interest at a rate of ten (10) percent

per annum for all payments for water and wastewater services due June 15 but not paid on or before August 15, 2020.

- 2. This ordinance shall be effective through August 15, 2020 and expire on August 16, 2020, without further action.**