

TOWN OF GRANBY

Board of Trustees

MEETING DATE: May 12, 2020

Consent Agenda

Resolution or Ordinance

Citizen Requests

Public Hearing

Committee/Staff Reports:

TOWN CLERK

FINANCE DIRECTOR

BUILDINGS AND STREETS

ECONOMIC DEVELOPMENT

PUBLIC SAFETY

RECREATION

WATER DEPARTMENTS

MAYOR

TOWN MANAGER

TOWN ATTORNEY

Other

Executive Session

Workshop

TIME OF AGENDA ITEM: 7:30 PM

Agenda Request No. 7

**MEETING TO BE HELD AT:
Town Hall, Zero Jasper Avenue
Granby, CO 80446**

(7) DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2012-05-12B, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF GRANBY TEMPORARILY SUSPENDING DISCONTINUANCE OF WATER SERVICE FOR FAILURE TO PAY WATER CHARGES, AND SUSPENDING AND POSTPONING CERTAIN FEES, INTEREST AND CHARGES RELATED TO WATER SERVICE DUE TO THE COVID-19 PANDEMIC

7:30 PM

**TOWN OF GRANBY
BOARD OF TRUSTEES
RESOLUTION 2020-05-12**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
GRANBY TEMPORARILY SUSPENDING DISCONTINUANCE OF
WATER SERVICE FOR FAILURE TO PAY WATER CHARGES, AND
SUSPENDING AND POSTPONING CERTAIN FEES, INTEREST AND
CHARGES RELATED TO WATER SERVICE DUE TO THE COVID-19
PANDEMIC**

WHEREAS, the Board of Trustees of the Town of Granby, Colorado, pursuant to Colorado statute is vested with the authority of administering the affairs of the Town of Granby, Colorado; and

WHEREAS, the Town owns and operates a public potable water supply system and establishes the fees charged to customers in connection with the water system as set forth primarily in Chapter 2.70 of the Granby Town Code; and

WHEREAS, in the event a customer fails to pay the fees charged for providing water service, the Town assesses certain penalties, and interest, and provides procedures for discontinuing water service until the delinquency is remedied, as set forth in Chapter 2.70, including but not limited to Sections 2.70.230 and 2.70.240; and

WHEREAS, in March 2020, the Governor of Colorado and the Colorado Department of Health and Environment declared an emergency throughout the State of Colorado, including the Town of Granby, due to the health threats presented by the COVID-19 virus, and have entered various Executive Orders and Public Health Orders as a result; and

WHEREAS, the COVID-19 pandemic has had a substantial adverse economic impact on the Town and its residents, which in some cases have made it difficult for customers to pay the fees associated with receiving water service in a timely manner; and

WHEREAS, the Board of Trustees has considered the current emergency circumstances, including their economic impact, and concluded that it is in the best interest of the health, safety and welfare of the Town's citizens to temporarily suspend the assessment of penalties and interest and other charges typically

assessed on delinquent water bills, and to suspend proceedings to discontinue water service for failure to pay.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRANBY, COLORADO, AS FOLLOWS:

1. Effective upon approval of this Resolution and continuing until August 31, 2020, no water service shall be discontinued by the Town due to a customer's failure to pay the water bill in a timely manner, provided that on or before June 15, 2020, or within 15 days after the account becomes delinquent, whichever date is later, the customer enters into a written payment plan acceptable to the Town Manager to address the delinquency.
2. Effective upon approval of this Resolution and continuing until August 31, 2020, no additional interest or penalties will be assessed on delinquent water bills, provided that on or before June 15, 2020, or within 15 days after the account becomes delinquent, whichever date is later, the customer enters into a written payment plan acceptable to the Town Manager to address the delinquency.
3. The written payment plans provided for in Sections 1 and 2 above, shall also include a written statement from the customer confirming that they are unable to pay their bill water due to economic circumstances
4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
5. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

**MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES
OF THE TOWN OF GRANBY, COLORADO THIS ____ DAY OF ____,
2020.**

TOWN OF GRANBY
BOARD OF TRUSTEES

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

Deborah K. Hess, CMC
Town Clerk

By: _____
Paul Chavoustie
Mayor