

RESOLUTION 2020-M

**A RESOLUTION OF THE TOWN OF EATONVILLE,
WASHINGTON, APPROVING AN EMERGENCY
POLICY & PROCEDURE FOR COLLECTION AND
ENFORCEMENT OF UTILITY BILLS**

WHEREAS, the World Health Organization has determined that a pandemic exists due to the global spread of a highly contagious virus commonly known as COVID-19; and

WHEREAS, on February 29, 2020, the Governor of the State of Washington proclaimed a State of Emergency due to COVID-19; and

WHEREAS, on March 24, 2020 the Governor of the State of Washington, in Proclamation 20-23.1, strongly encouraged all utilities to take reasonable actions to mitigate the economic impacts of the COVID-19 pandemic on their utility customers, including but not limited to: acting to prevent disconnection of services due to non-payment during the state-wide emergency; waiving late payments and fees; and using payment plans to fulfill outstanding customer balances; and

WHEREAS, Mayor Schaub proclaimed an emergency within the Town of Eatonville on March 24, 2020; and

WHEREAS, on April 20, 2020 the Governor of the State of Washington announced Washington's Recovery Plan, which includes ensuring access to essential services during the state's recovery from the COVID-19 pandemic; and

WHEREAS, on July 2, 2020 the Governor of the state of Washington issued Proclamation 20-23.6, extending Proclamation 20.23, pertaining to Utility Ratepayer Assistance and Preservation of Essential Services through August 1, 2020; and

WHEREAS, Proclamation 20-23.6 extended prohibitions on utilities disconnecting service, refusing to reconnect service and charging late fees; and

WHEREAS, Proclamation 20-23.6 requires all utilities providing energy, telecommunications and water services in Washington State to develop COVID-19 Customer Support Programs, consistent with the guidance document attached as Exhibit B; and

WHEREAS, the Town of Eatonville has amended the Emergency Policy & Procedure for Collection and Enforcement of Utility Bills to be in compliance with the guidance document; now, therefore

**THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, WASHINGTON,
HEREBY RESOLVES AS FOLLOWS:**

THAT: The Town of Eatonville Emergency Policy & Procedure for Collection and Enforcement of Utility Bills is approved in the form attached hereto as Exhibit A.

PASSED by the Town Council of Town of Eatonville and attested by the Town Clerk in authentication of such passage this 27th day of July 2020.

Mike Schaub, Mayor

ATTEST:

Miranda Doll, Town Clerk



**EMERGENCY POLICY & PROCEDURE
FOR COLLECTION AND ENFORCEMENT OF UTILITY BILLS**

1. PURPOSE

The purpose of this policy is to allow for waiving water, sewer, storm drainage, garbage and electric utility past due penalties and a postponement of utility shutoffs during a Declaration of Emergency related to a pandemic illness or other public health emergency. The purpose of this policy is also to facilitate payment plans for utility customers in arrears due to the public health emergency.

2. SCOPE:

This policy applies to all Town of Eatonville utility customers who are currently in arrears or who fall into arrears during a public health emergency and to those that qualify as low-income.

3. DEFINITIONS:

“Public health emergency” means an occurrence or imminent threat of an illness or health condition, caused by bio terrorism, epidemic or pandemic disease, or a novel and highly fatal infectious agent or biological toxin, that poses a substantial risk of a significant number of human fatalities or incidents or permanent or long-term disability.

“Pandemic” means a disease that is prevalent over a region, country or the world.

4. POLICY:

It is the policy of the Town of Eatonville to take all appropriate measures needed to address a public health emergency. Protecting the community and Town staff is a top priority. This policy establishes actions that the Town will take related to the collection and enforcement of Town of Eatonville utility bills for electricity, water, sewer, garbage and storm drainage both during a public health emergency and immediately after.

During a declared public health emergency, it is the policy of the Town of Eatonville to postpone all utility service shutoffs and to suspend past due penalties (also known as “Late Fees,” “Disconnection Notice Fees” and “Reconnection Fees”) for the duration of the declared emergency. It is also the policy of the Town to postpone utility service shutoffs immediately following a declared public health emergency, provided an affected utility customer establishes and complies with a payment plan with the Town.

This policy does not suspend regular monthly utility charges for electric, water, sewer, garbage and storm drainage utilities.

5. PROCEDURE:

The following procedures are established to allow for customers who are in arrears to continue receiving electric, water, sewer, garbage and storm drainage utility service, without penalty, during a declared public health emergency.

Notification

- A. Utility Billing will be notified when a Declaration of Emergency related to public health is proclaimed.
- B. Utility Billing will notify customers who are in arrears (past due and/or scheduled for shutoff) of the policy, including an explanation that all past due amounts are still owed, but that during the duration of the declared emergency, additional past due penalties and shutoffs will be suspended.
- C. Utility Billing and/or the Town will notify customers of opportunities to establish payment plans for all past due amounts and of other customer support programs, if applicable. The Town will prominently post on its website the opportunities to establish payment plans and other customer support programs, if applicable.
- D. It shall be the responsibility of those customers whose accounts are in arrears to contact Utility Billing to request the establishment of a payment plan. Payment plans may consist of a specified date by which all past due amounts must be paid, or payments made on an established, mutually agreed upon, schedule.
- E. During the Declaration of Emergency, the Town will not shut off the utility service that is in arrears.

Reporting

- A. Utility Billing will track, by way of reports, utility accounts that go into arrears during the duration of the proclaimed emergency and submit the reports to the Town Administrator on a regular basis throughout the proclaimed emergency.

Post-Emergency Procedure

- A. After the Declaration of Emergency has been lifted, Utility Billing will review those accounts that have gone into arrears. For those accounts for which no payment plan has been established, Utility Billing and/or the Town will again notify customers of opportunities to establish payment plans for all past due amounts and of other customer support programs, if applicable.
- B. For ninety (90) days following the lifting of the Declaration of Emergency, the Town will work with customers financially impacted by the public health emergency to establish payment plans that will bring their accounts current within six (6) months from the date the payment plans are entered into, or within a longer period if so determined by the Mayor or his designee on a case-by-case basis.
- C. Regular penalty and shutoff timelines, as outlined in Eatonville Municipal Code Title 13, will be re-established on the first day of the month following thirty (30) days after the Declaration of Emergency being lifted. For known low-income or otherwise vulnerable customers, regular penalty and shutoff timelines will be re-established on the first day of the month following sixty (60) days after the Declaration of Emergency being lifted.

COVID-19 Utility Customer Support Program Guidance

All utilities have a general obligation to provide safe, reliable, and affordable essential services to their customers. On April 20th, Governor Inslee announced [Washington's Recovery Plan](#), which includes ensuring access to essential services during the state's recovery from the COVID-19 pandemic. On May 1, Governor Inslee announced the "[Safe Start](#)" approach for Washington state to begin reopening some businesses safely and continue essential businesses. On July 2nd, Governor Inslee issued Proclamation 20-23.6, extending, and amending Proclamation 20-23, pertaining to Utility Ratepayer Assistance and Preservation of Essential Services through August 1st, 2020. Proclamation 20-23.6 extended prohibitions on utilities disconnecting service, refusing to reconnect service, and charging late fees.

This document provides a framework for ensuring that customers experiencing economic hardship as a direct result of the COVID-19 pandemic maintain access to essential services after Proclamation 20-23.6 expires; by adopting consumer protections, customer support programs, and notification protocols, and participating in public information requests. This guidance applies to residential energy, water, and landline telephone services.

This guidance does not relieve customers from the obligation to pay for utility services.

General Guidance for all Utilities

Beginning immediately, utilities covered by the guidance should review existing policies concerning disconnection of service, reconnection of service, payment arrangements, and suspension of other fees or charges, and update those policies as appropriate and necessary to assist vulnerable individuals and households to maintain essential services during the economic recovery.

The public should have access to reliable and accurate information about assistance that may be available from their utilities and their local community to help them recover from the economic impacts of COVID-19. Utilities are trusted sources of information and assistance; their communications with customers are essential to this effort. Customers who are having trouble paying their bill should first contact their utility. Utilities should proactively reach out to customers with accounts in arrears to encourage customers to enter into payment arrangements.

5. Utilities should offer long-term payment arrangements for those directly affected by COVID-19 to allow customers to recover successfully from the unexpected economic impacts of the pandemic. Six to eighteen months, or longer may be appropriate, considering each customer's unique circumstances.
6. Utilities should work with state and local agencies to help identify customers experiencing economic hardship as a direct result of the COVID-19 pandemic, and help those customers gain access to bill assistance.

Additional customer support efforts and outreach are encouraged and are not limited based on these set of recommendations. The UTC, for utilities under its jurisdiction, and local governing boards of consumer owned utilities are encouraged to adopt policies and procedures focused on the unique needs of their consumers.

Guidance for Energy Utilities

The following guidance applies to energy utilities providing electric or natural gas service, including municipal utilities and public utility districts authorized under Title 35 RCW and Title 54 RCW; cooperatives formed under Chapter 23.86 RCW; and electrical and natural gas, companies regulated by the Utilities and Transportation Commission under Title 80 RCW.

Energy Utility COVID-19 Customer Notification and Public Information Guidance:

The following guidance is meant to ensure that the information provided to utility customers and the public is timely and accurate:

1. Utilities should develop outreach and communications plans to provide information to customers about options for bill payment assistance and payment plans. This may include communications via website, bill inserts, and direct telephone and email communications initiated by the utility and/or customer. Where needed, information should be provided in languages other than English.
2. The Utilities and Transportation Commission will serve as the single point of contact within state government for customers seeking energy bill assistance information: Utilities and Transportation Commission Consumer Hotline: 1-888-333-WUTC (9882) or consumer@utc.wa.gov. The Utilities and Transportation Commission will develop and implement a communications plan, and provide materials to all utilities for use in their own communications materials.

Guidance for Water Utilities

The following guidance applies to community water systems, including municipal utilities, public utility districts, and water and sewer districts authorized under Title 35 RCW, Title 54 RCW, and Title 57 RCW; water companies regulated by the Utilities and Transportation Commission under Title 80 RCW; and mutual corporations or associations formed under Chapter 24.06 RCW.

Water Utility COVID-19 Customer Support Programs:

Community water systems have a multitude of customer assistance programs already established, many smaller systems may have more informal programs that help their neighbors. And others may still need to create or update their program. Currently the most readily available option for water utilities is to offer payment plans that allow the utility and the customer to reach an agreement on a reduced payment amount.

Because of the severity of the COVID-19 pandemic and economic crisis, community water systems with more than 1,000 customers should establish at a minimum Customer Assistance programs that ensure customers impacted by experiencing hardship due to the COVID-19 pandemic maintain access to essential services after Proclamation 20-23 expires. Options to consider for a customer assistance plan include, but are not limited to:

1. Bill arrearage forgiveness; or
2. Payment plan where shut offs do not occur if the customer consistently pays an agreed to amount of their arrearages accrued monthly; or
3. Provide a combination of the above.

Water Utility COVID-19 Customer Notification Guidance:

The public should have access to reliable and accurate information about assistance that may be available from their utilities and their local community to help them recover from the economic impacts of COVID-19. Utilities are trusted sources of information and assistance; their communications with customers are essential to this effort.

1. Water systems should inform customers about their customer assistance programs and how to receive assistance. Customers with accounts in arrears should be contacted directly. All customers should be notified of available assistance programs by one of the following methods:

The public should have access to reliable and accurate information about assistance that may be available from their utilities and their local community to help them recover from the economic impacts of COVID-19. Utilities are trusted sources of information and assistance; their communications with customers are essential to this effort. For all telecommunications companies with more than 1,000 customers:

1. Telecommunications companies should develop outreach and communications plans to provide information to customers about options for bill payment assistance and payment plans. This may include communications via website, bill inserts, and direct telephone and email communications initiated by the utility and/or customer. Where needed, information should be provided in languages other than English.
2. The Utilities and Transportation Commission will serve as the single point of contact within state government for customers seeking energy bill assistance information: Utilities and Transportation Commission Consumer Hotline: 1-888-333-WUTC (9882) or consumer@utc.wa.gov.
3. All COVID-19 Utility Customer Support Programs should be posted on a publically accessible website.

Telecommunications Company Information Requests:

The Utilities and Transportation Commission has authority to request information from telecommunications companies pertinent to implementation of this guidance.

Questions?

General questions about how to comply with the guidance can be submitted to the state's Business Response Center at: <https://coronavirus.wa.gov/how-you-can-help/covid-19-business-and-worker-inquiries>

All other violations related to Proclamation 20-25 can be submitted at <https://bit.ly/covid-compliance>