

CITY OF PLAINWELL  
COUNTY OF ALLEGAN  
STATE OF MICHIGAN

RESOLUTION NO. # 2020-11

RESOLUTION TO TEMPORARY SUSPEND WATER AND SEWER BILL PENALTIES FOR  
NON-PAYMENT DUE TO THE COVID-19 PANDEMIC

**WHEREAS**, the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. Older adults and those with chronic health conditions are at particular risk, and there is an increased risk of rapid spread of COVID-19 among persons in close proximity to one another. There is currently no approved vaccine or antiviral treatment for this disease; and

**WHEREAS**, in response to protecting human life and the prevention of the spread of COVID-19 within the State of Michigan, Governor Whitmer signed Executive Order No. 2020-21 “Temporary requirement to suspend activities that are not necessary to sustain or protect life” on March 23, 2020. Which created a great unprecedented interruption to almost every employer in the state. Putting paychecks and jobs in substantial jeopardy, thus potentially putting city water and sewer customers in a difficult position to make timely payments under these temporary unique circumstances; and

**WHEREAS**, Governor Whitmer signed Executive Order 2020-28 “Restoring water services to occupied residences during COVID-19 pandemic” on March 28, 2020 demonstrating the importance of having running water readily available to participate in proper hygiene techniques during the COVID-19 pandemic; and

**WHEREAS**, the City of Plainwell Code of Ordinances Section 35-141 and Sections 36-16 and 36-17 provide that rates, fees and charges for public water and sewer are to be set by resolution of the City Council; and

**WHEREAS**, the City of Plainwell Code of Ordinances further provides for the imposition of a 10% penalty to be applied for the non-payment of due water and sewer accounts after a stated period of time; and

**WHEREAS**, the temporary forgiveness of penalties is a recognition of the financial difficulties customers of the systems are facing during these difficult financial times and a temporary moratorium on the collection of such penalties will benefit the City’s administrative resources; and

**WHEREAS**, the billing cycle for the City of Plainwell is monthly and in efforts of treating all accounts equally all accounts would have to be offered the same opportunities. Making any penalty forgiveness granted would have to be granted to all accounts, not just those due in the midst of this immediate crisis;

**THEREFORE, BE IT RESOLVED:**

1. The recitals set forth above are affirmed as accurate and acknowledged as if fully restated herein.
2. For the reasons set forth herein the City Council hereby forgives and waives delinquent payment penalties on public water or sewer accounts for the months of April and May of 2020. The City Council hereby further imposes a moratorium on the collection or implementation of penalties for such accounts for the months of April and May of 2020.
3. All resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, repealed.

Yeas: Keeler, Steele, Overhuel, Keeney and Wisnaski  
Nays: None  
Absent: None

**RESOLUTION DECLARED ADOPTED:**

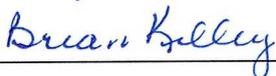
Date: April 27, 2020

  
\_\_\_\_\_  
Brian Kelley, Clerk/Treasurer

**CERTIFICATION**

I, Brian Kelley, the duly appointed Clerk of the City of Plainwell, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Plainwell City Council at a regular meeting held April 27, 2020 in compliance with the Open Meeting Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

City of Plainwell

By: \_\_\_\_\_