



Legislation Details (With Text)

**File #:** 60943      **Version:** 1      **Name:** Suspension of Stormwater Late Charges  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/11/2020      **In control:** Attorney's Office  
**On agenda:** 6/16/2020      **Final action:** 6/16/2020  
**Enactment date:** 6/30/2020      **Enactment #:** ORD-20-00060

**Title:** Amending Sec. 37.05(4)(h) of the Madison General Ordinances to Allow for the Suspension of Stormwater Utility Late Charges.

**Sponsors:** Keith Furman, Grant Foster, Syed Abbas

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By         | Action   | Result |
|-----------|------|-------------------|--|--------|
| 6/16/2020 | 1    | COMMON COUNCIL    | Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25                                     | Pass   |
| 6/11/2020 | 1    | Attorney's Office | RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS |        |

The proposed resolution would authorize the Common Council to suspend Stormwater Utility late charges.

On March 23, 2020, the Mayor issued an Emergency Proclamation based on the increasing transmission of the COVID-19 virus within the City of Madison. To help mitigate the financial impacts of this emergency on the businesses and residents of Madison, resolutions were adopted that authorized the Council to waive certain late fees (ORD-20-00037, Legistar File 60081) and waived Stormwater Utility late charges effective 4/1/2020 until 60 days after the emergency ends (RES-20-00233, Leg. File 60080). Lost Stormwater Utility late fee revenue was anticipated to be \$4,800 per month.

This authorization was inadvertently removed when changes to Madison General Ordinance (MGO) Chapter 37 were enacted on June 11, 2020.

Amending Sec. 37.05(4)(h) of the Madison General Ordinances to Allow for the Suspension of Stormwater Utility Late Charges.

DRAFTER'S ANALYSIS: Chapter 37 was recently repealed and reenacted as a result of a long process (see ORD-20-00051, Legistar File No. 60351, adopted on June 2, 2020 and enacted on June 11, 2020). While the drafts of these substantial changes were being worked on, the Council enacted ORD-20-00037 (Legistar File No. 60081). This ordinance was enacted in response to the COVID-19 pandemic and specifically allowed the Common Council to suspend late fees for the City's Utilities (water, sanitary and stormwater) and the landfill remediation charge. The Common Council simultaneously enacted a resolution suspending late fees on the municipal service bill during the COVID-19 pandemic (RES-20-00233, Legistar File No. 60080). Unfortunately, the changes to Sec. 37.05(4)(h) were not included in the working and final drafts of the changes to Chapter 37, resulting in these changes being inadvertently left out of the new ordinance. Because Chapter 37 was repealed and recreated, it is therefore necessary to reenact the changes made to Sec. 37.05(4)(h) by ORD-20-00051. This will allow the Common Council to have the authority to suspend late fees for the stormwater utility, as it now has for the water utility, sewer utility and the landfill remediation charge.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (h) of Subsection (4) entitled "Rates and Charges" of Section 37.05 entitled "The Public Stormwater System" of the Madison General Ordinances is amended to read as follows:

"(h) The bills for stormwater services shall be dated and issued to users. Except as otherwise provided by resolution of the Council, a late payment charge of one percent (1%) of any unpaid balance shall be assessed and added to the bill for such services if the amount of the bill is not paid within twenty (20) days thereafter (the "due date") and an additional late payment charge of one percent (1%) of the unpaid balance of the bill plus any previously assessed late payment charge remaining due at the end of every monthly anniversary of the due date shall be assessed and added to bills then remaining unpaid."