



CITY OF  
BAINBRIDGE ISLAND

OFFICE OF THE CITY MANAGER

DIRECTIVE RELATED TO TEMPORARY CHANGE IN POLICY

DATE: MARCH 20, 2020  
TO: ALL CITY DEPARTMENT DIRECTORS  
FROM: *MWS* MORGAN SMITH, CITY MANAGER  
SUBJECT: NEW POLICY TO TEMPORARILY SUSPEND WATER AND SEWER UTILITY SHUT-OFFS AND COLLECTION OF LATE FEES RELATED TO CITY UTILITY CUSTOMERS, AND TO ELIMINATE CREDIT CARD SERVICE CHARGES FOR CITY UTILITY CUSTOMERS

**A. Introduction**

Based on the extraordinary circumstances posed by the COVID-19 situation, I am hereby issuing this new temporary policy to suspend water shut-offs related to enforcement of nonpayment of water and sewer utility billings for City utility customers. I am also suspending the collection of late fees owed by City utility customers. Additionally, I am eliminating service charges for credit card payments related to City utility customers. This temporary policy will be in effect for the duration of the emergency posed by the COVID-19 situation, and I will notify City staff when I have determined that the emergency is no longer in effect. The information below describes the basis for this new temporary policy.

**B. Problem Identified**

If the City shuts off water service to a City utility customer to enforce nonpayment of water or sewer utility billings, or pursues the collection of late fees owed by City utility customers, such customers are less likely to practice social distancing, stay home if sick, or stay home if they were exposed to someone who is sick, thereby risking the spread of COVID-19. Similarly, if the City eliminates credit card service charges that otherwise would be paid by utility customers, such an action will facilitate payment of City utility bills via credit card to avoid nonpayment in this emergency situation.

### **C. Action Taken**

To reduce the spread of COVID-19, for the duration of the emergency posed by the COVID-19 situation I am directing all applicable City departments to not pursue water shut-offs to enforce nonpayment of water or sewer utility billings for City utility customers, to not pursue collection of late fees related to City utility customers, and to not assess credit card service charges to City utility customers paying their utility bills by credit card. By maintaining water and sewer availability and service to City utility customers, the City is increasing the likelihood that individuals will choose to stay home if sick or if they were exposed to someone who is sick, and/or to comply with public health directives to avoid possible exposure to the virus, and such actions will thereby reduce the spread of COVID-19.

### **D. Background Supporting Action Taken**

To prevent the spread of COVID-19, the Centers for Disease Control and Prevention (CDC) and the Washington State Department of Health (WSDOH) recommend that individuals:

- Avoid close contact and practice social distancing;
- Stay home, if sick, except to get medical care; and
- Stay home, if not sick but if that person may have been exposed to COVID-19, except to get medical care.

On March 15, 2020, Governor Inslee issued an emergency proclamation that mandated the immediate two-week closure of all restaurants, bars, and entertainment and recreational facilities, as well as additional limits on large gatherings, leaving many individuals with no clear choice other than to stay home. The emergency proclamation was issued in response to the recent spike in numbers of COVID-19 cases in the state and across the country, including in Kitsap County. Since that time, the Governor has taken several further actions to address this emergency situation, including regarding prohibitions related to evictions, and the public health threat is continuing to increase.

Under state law and the Bainbridge Island Municipal Code, including RCW 35.67.290 and BIMC 13.16.090.B., the City may shut-off water service to a customer to enforce nonpayment of sewer utility billings. Similarly, RCW 35.21.300(1) and BIMC 13.16.090.C. state that the City may shut-off water service to a customer to enforce nonpayment of water utility billings. The BIMC also provides that late fees are to be paid related to overdue City utility customer accounts. Based on the authority vested in me as City Manager, I am adopting this temporary policy for the benefit of public health and safety and as part of the City's response to the COVID-19 emergency.