



**EMERGENCY ORDER NO. 2020-18**

**ORDER RELATING TO THE TEMPORARY SUSPENSION OF WATER AND WASTEWATER  
LATE PAYMENT FEES AND SHUTOFFS**

**WHEREAS**, the Novel Coronavirus Disease 2019 (COVID-19) epidemic may cause life threatening conditions for the residents of the City of North Port; and

**WHEREAS**, on March 9, 2020, pursuant to Florida Statutes Chapter 252, Governor Ron DeSantis issued Executive Order Number 20-52, declaring a state of emergency in the State of Florida; directing the Division of Emergency Management to execute the State's Comprehensive Emergency Management Plan; and authorizing each political subdivision within the State of Florida, pursuant to Florida Statutes Section 252.38(3)(a), to waive certain procedures and formalities otherwise required by law that are in the interest of the public health, safety, and welfare; and

**WHEREAS**, on September 4, 2020, Governor Ron DeSantis issued Executive Order Number 20-213, extending for 60 days the state of emergency declared in Executive Order Number 20-52, as extended by Executive Order Numbers 20-114 and 20-166, and as amended by Executive Order Number 20-192; and

**WHEREAS**, on March 17, 2020, the City Commission adopted Ordinance No. 2020-18, declaring a state of local emergency caused by the threat posed by COVID-19, and granted the City Manager or designee the authority to take actions in accordance with Florida Statutes Section 252.38(3)(a) including extending the state of local emergency in seven-day increments; and

**WHEREAS**, pursuant to Ordinance No. 2020-18, the City Manager issued twenty-four administrative declarations, each extending the state of local emergency for an additional seven days; and

**WHEREAS**, on September 1, 2020, the Acting City Manager issued his Administrative Declaration of Twenty-Fourth Extension of the Local State of Emergency Pursuant to Ordinance No. 2020-18, and the actions therein expired by operation of law on September 8, 2020; and

**WHEREAS**, on September 9, 2020, the City Commission of the City of North Port, Florida adopted Ordinance No. 2020-38, declaring a state of local emergency due to the COVID-19; and

**WHEREAS**, Ordinance No. 2020-38 conferred on the City Manager or designee the power and authority set forth in Florida Statutes Section 252.38(3)(a); and

**WHEREAS**, pursuant to Florida Statutes Section 252.46, the City Manager has the power to issue emergency orders with the force of the law; and

**WHEREAS**, this Order is necessary for emergency management purposes and to ensure the health, safety, and welfare of the community; and

**WHEREAS**, Section 78-24 of the Code of the City of North Port, Florida provides general terms and conditions regarding water and wastewater services. This section assesses late fees and delinquent processing fees, and provides that the City may withhold or discontinue service when payment on an account is delinquent; and

**WHEREAS**, Section 78-36 of the Code of the City of North Port, Florida provides for the adoption of late payment fees and Appendix A enumerates specific fees associated with delinquent accounts; and

**WHEREAS**, many City residents and businesses have been impacted financially by this emergency; and

**WHEREAS**, allowing a temporary suspension of late fees, delinquent processing fees, and shutoff of utility service will protect the health and safety of residents, and benefit businesses, thereby benefitting the local economy and the public.

**IN HIS EMERGENCY AUTHORITY, THE CITY MANAGER OF THE CITY OF NORTH PORT, FLORIDA ORDERS:**

1. The following fees are temporarily waived for water and wastewater services:
  - a. Late payment fees;
  - b. Delinquency processing fees; and
  - c. Delinquency service fees.
2. The City will temporarily suspend the withholding and discontinuation of water and wastewater services for accounts eligible to be charged late and/or delinquent processing fees. For all accounts, bills will not become delinquent until sixty (60) days following the expiration of this order.
3. This order does not operate to waive, release, or in any other way affect the City's existing utility liens.
4. To the extent this order conflicts with any provision of the Code of the City of North Port, Florida, this order controls.

**This order is effective immediately. Unless otherwise terminated, this order expires simultaneously with the expiration of the state of local emergency.**

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF NORTH PORT, FLORIDA ON  
SEPTEMBER 10, 2020 AT 11:30 A.M./P.M. BY



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Jason Yarborough, ICMA-CM  
Acting City Manager

