



## ORDINANCE NO. 28642

1 AN ORDINANCE relating to the Department of Public Utilities; amending Tacoma  
2 Municipal Code 12.01.050 to extend the waiver of power and water utility  
3 connection and inspection fees, upon request, for cities in Tacoma Power  
4 and Tacoma Water service territories during the current declared state of  
emergency, relating to the conditions of homeless encampments located in  
the City, until the declared state of emergency has ended.

5 WHEREAS, on May 2, 2017, the City Council adopted Resolution  
6 No. 39716, directing the City Manager to prepare and present an Emergency  
7 Temporary Aid and Shelter Program to respond to the homelessness crisis and to  
8 prepare, and present an ordinance declaring a state of emergency, and  
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10 WHEREAS, on May 9, 2017, the City Council passed Ordinance No. 28430  
11 (“Emergency Ordinance”), declaring a state of public health emergency relating to  
12 the conditions of homeless encampments located in the City, effective through  
13 October 9, 2017, and  
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15 WHEREAS, on June 6, 2017, by motion, the City Council approved a  
16 temporary emergency aid and shelter plan with a three-phased approach  
17 (Mitigation, Stabilization, and Short-Term Transitional Housing) at a projected cost  
18 of \$3.4 million, and  
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20 WHEREAS, on July 12, 2017, pursuant to Resolution U-10942, the Public  
21 Utility Board authorized the waiver of connection and inspection fees, upon  
22 request, for cities within Tacoma Power and Tacoma Water’s service territories  
23 providing facilities for sheltering low-income and/or infirm persons, effective  
24 through October 9, 2017, and  
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WHEREAS Ordinance No. 28440, passed July 18, 2017, authorized the waiver of said connection and inspection fees through October 9, 2017, and further provided that the City Council review the conditions giving rise to the public health emergency to determine whether such conditions warranted keeping in place the extraordinary measures authorized to respond to the public health emergency, and

WHEREAS after review, the City Council passed Ordinance No. 28457 on October 3, 2017, extending the sunset date of the public emergency declaration made pursuant to the Emergency Ordinance from October 9, 2017, to December 31, 2017, and

WHEREAS, on December 12, 2017, the City Council passed Ordinance No. 28477, extending the sunset date of the public emergency declaration from December 31, 2017, to December 31, 2018, and

WHEREAS, on March 26, 2019, the City Council passed Ordinance No. 28577, approving the Public Utility Board's request to renew the waiver of connection and inspections fees retroactive to January 1, 2019, and effective through December 31, 2019, and

WHEREAS, on November 19, 2019, the City Council adopted Ordinance No. 28637, extending the sunset date of the public emergency declaration from December 31, 2019, until such time as there is shelter availability for 95 percent of the unsheltered individuals in Tacoma as noted in the annual Point in Time Count, and



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WHEREAS, on November 13, 2019, the Public Utility Board passed Resolution U-11118, authorizing the renewal of the waiver of connection and inspection fees for cities within Tacoma Power/Water’s service territories providing facilities for sheltering low-income and/or infirm persons, effective through the end of the declared state of emergency, and

WHEREAS Section 4.11 of the Tacoma City Charter requires that all matters relating to the “incurring of indebtedness . . . shall be initiated by the Board, subject to approval by the Council, and executed by the Board,” prior to acceptance of the Agreement, and

WHEREAS, by adoption of Public Utility Board Resolution U-11118 on November 13, 2019, the proposed extension of the waiver was approved, pending confirmation from the City Council; Now, Therefore,

**BE IT ORDAINED BY THE CITY OF TACOMA:**

Section 1. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Section 2. That Chapter 12.01 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit “A.”

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not



1 limited to, the correction of scrivener's/clerical errors, references, ordinance  
2 numbering, section/subsection numbers, and any references thereto.

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4 Passed \_\_\_\_\_

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Mayor

7 Attest:

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9 \_\_\_\_\_  
City Clerk

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11 Approved as to form:

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Chief Deputy City Attorney

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**EXHIBIT "A"**

**Chapter 12.01  
UTILITY CHARGES**

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Sections:

- 12.01.010 Utility services establishment.
- 12.01.020 Utility field collection call.
- 12.01.030 Invoicing and late payment fee.
- 12.01.040 Residential conservation loan program charges – Light Division.
- 12.01.050 Waiver of utility connection and inspection charges during declared emergency.

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**12.01.050 Waiver of utility connection and inspection charges during declared emergency.**

Pursuant to Washington State Constitution Article VIII, section 7, and RCW 35.92.380, upon request, the Director of Utilities is authorized to waive all electric and water connection and inspection fees for cities (including the City of Tacoma) within Tacoma Power and Tacoma Water service territories that are providing facilities for sheltering low-income and/or infirm persons. Such authority is contingent upon the city passing an ordinance declaring a state of public health emergency. This section shall sunset ~~on~~ December 31, 2019 pursuant to the requirements of Ordinance No. 28637, passed by the City Council on November 17, 2019.