

AN ORDINANCE TO ENACT A TEMPORARY MORATORIUM ON THE MONITION OF OWNER-OCCUPIED PROPERTIES FOR DELINQUENT WATER UTILITY CHARGES

#4784

Sponsor:

**Council
Member
McCoy**

WHEREAS, the Wilmington City Council (“Council”) has an interest in establishing fair and uniform policies for the health and protection of the residents of the City of Wilmington (the “City”); and

Co-Sponsor:

**Council
President
Shabazz**

WHEREAS, some of the City’s vulnerable population may be unable to pay water utility charges because of their circumstances; and

WHEREAS, Council deems it necessary and appropriate to place a temporary 12-month moratorium on monitions by the City of owner-occupied properties to provide an opportunity for the Council and the Administration to determine whether the City’s policies 1) adequately assist elderly, low income or disabled residents as it relates to the payment of water utility charges; 2) afford such individuals sufficient protections against the unwarranted loss of their properties, including a review of specific threshold amounts triggering monition; and 3) provide alternative means for the collection of delinquent water utility charges when elderly, low income or disabled individuals would be impacted.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Temporary Moratorium Established. A temporary moratorium is hereby established on the monition of residential, owner-occupied properties when the monition is instituted solely for the collection of delinquent water utility charges. This moratorium shall not apply to commercial properties, properties

leased for residential occupancy or vacant properties. This moratorium shall not apply to monitions instituted to collect delinquent charges other than water utility charges.

SECTION 2. Effective Period of Temporary Moratorium. The temporary moratorium set forth in Section 1 shall become effective on the date that the Mayor signs this Ordinance and shall remain in effect for 12 months from that date.

SECTION 3. Effective Date. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... March 19, 2020
Second Reading..... March 19, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance enacts a temporary 12-month moratorium on the monition of owner-occupied properties. The purpose of this temporary moratorium is to provide an opportunity for the Council and the Administration to determine whether the City’s policies 1) adequately assist elderly, low income or disabled residents as it relates to the payment of water utility charges; 2) afford such individuals sufficient protections against the unwarranted loss of their properties, including a review of specific threshold amounts triggering monition; and 3) provide alternative means for the collection of delinquent water utility charges when elderly, low income or disabled individuals would be impacted.