

**AN ORDINANCE TO AMEND CHAPTER 45 OF THE CITY CODE TO ESTABLISH A PERMANENT WATER UTILITY ASSISTANCE PROGRAM**

**#0297**

**Sponsor:**

**Council Member Johnson**

**Co-Sponsors:**

**Council Members Harlee Bracy Oliver Cabrera B. Fields**

WHEREAS, the City’s Department of Finance previously launched the COVID-19 Utility Payment Assistance Program using CARES Act funding wherein qualified residents could request up to \$1,500.00 to pay their delinquent water and sewer bills; and

WHEREAS, the COVID-19 Utility Payment Assistance Program is no longer in effect because the Governor has lifted the emergency order and CARES Act funding has been exhausted; and

WHEREAS, many City utility customers still are suffering from the economic harm caused by the pandemic and, more recently, inflation; and

WHEREAS, City Code Section 45-3 provides that the “Department of Finance shall have jurisdiction, supervision and control of the rates, fees or charges established by the City Council”; and

WHEREAS, City Council deems it necessary and proper to establish a permanent Water Utility Assistance Program, funded each fiscal year by that fiscal year’s annual operating budget ordinance, to assist City utility customers with their water and sewer bills.

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

**SECTION 1.** Chapter 45 of the City Code is hereby amended by adding a new Section 45-6 thereto containing the underlined language to read as follows:

**Sec. 45-6. – Water Utility Assistance Program**

(a) Authorization. The department of finance is hereby authorized to establish a water utility assistance program for the purpose of providing financial assistance to eligible city utility customers to pay their water and sewer bills.

- (b) Funding. Funding for the water utility assistance program shall derive each fiscal year from an appropriation contained in that fiscal year’s annual operating budget ordinance. The amount of funding for each fiscal year’s water utility assistance program shall be an amount that is no less than one percent of such fiscal year’s water/sewer fund operation and maintenance reserve.
  
- (c) Minimum Eligibility Requirements. To be eligible to participate in the water utility assistance program, an applicant must (1) reside within the city’s water service area, (2) have a city water utility account, (3) have fully functioning active water meter(s) in the property, (4) seek assistance with a bill that was issued by the city, and (5) show a financial or special hardship. The department of finance may establish additional minimum eligibility requirements.
  
- (d) Administration and Enforcement. Administration and enforcement of the water utility assistance program shall be coordinated by the department of finance. The department of finance is authorized to prescribe, adopt, promulgate, and enforce rules and regulations pertaining to any aspect of the administration and enforcement of the water utility assistance program, including, but not limited to, establishing additional minimum eligibility requirements, application procedures, and required documentation. The department of finance shall develop a policy manual that shall govern the administration of the water utility assistance program.

**SECTION 2.** Chapter 45 of the City Code is hereby amended by renumbering certain reserved sections thereof by deleting the stricken language and adding the underlined language to read as follows:

**Secs. 45-67 – 45-30. – Reserved.**

**SECTION 3.** This Ordinance shall become effective on July 1, 2024.

First Reading.....May 4, 2023  
 Second Reading.....May 4, 2023  
 Third Reading.....

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

**SYNOPSIS:** This Ordinance amends Chapter 45 of the City Code to create a permanent Water Utility Assistance Program that shall be administered by the Department of Finance. The Water Utility Assistance Program will provide eligible City utility customers with financial assistance to pay water and sewer bills. This Ordinance shall become effective on July 1, 2024.

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance cannot be precisely quantified because it will change depending upon the given fiscal year. As a point of reference, the City will spend approximately Two Hundred Fifty Thousand (\$250,000) in Fiscal Year 2024 on the predecessor program to the permanent water utility assistance program.

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