

RESOLUTION NO. 2020-10-052R

**A RESOLUTION DECLARING CONTINUED UTILITY
DISCONNECTIONS IN ILLINOIS TO BE A PANDEMIC SAFETY RISK**

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Section 6 of Article VII of the State of Illinois Constitution of 1970; and

WHEREAS, a new and significant outbreak of Coronavirus Disease 2019 (“COVID-19”), a novel severe acute respiratory illness that can spread among people through respiratory transmissions, emerged in late 2019; and,

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency and declared it a worldwide pandemic on March 11, 2020; and,

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and,

WHEREAS, the Governor of the State of Illinois issued a Gubernatorial Disaster Proclamation declaring all counties in the State of Illinois as a disaster area on March 9, 2020; and,

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency concerning the COVID-19 virus; and,

WHEREAS, on March 20, 2020, the Governor of the State of Illinois issued Executive Order 2020-10 entitled Executive Order in Response to COVID-19, and has issued many Executive Orders regarding the COVID-19 public health emergency since that date; and,

WHEREAS, many residents of the City of Urbana have suffered financial hardships as a result of the COVID-19 health crisis; and

WHEREAS, it is necessary and appropriate for the City of Urbana, Illinois to take measures to protect the public’s financial health in response to the COVID-19 virus; and,

WHEREAS, the City of Urbana, Illinois is a Home Rule Unit under the 1970 State of Illinois Constitution.

WHEREAS, Patrick Hayes, General Counsel for the Illinois Municipal League (IML), advises that the IML has always considered it within a home rule municipality’s authority to address matters relating to billing and service disconnections where non-payment is the reason; and,

WHEREAS, utility disconnections have continued to happen in Illinois after the voluntary moratorium was announced by the Illinois Commerce Commission on September 22nd; and,

WHEREAS, the Governor of Illinois has the authority from 20 ILCS 3305 Sec 7 (12) to enact a mandatory moratorium on utility disconnections.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Illinois, as follows:

SECTION 1.

The City Council recognizes there is an ongoing public health emergency caused by the contagious COVID- 19 virus.

SECTION 2.

The public health emergency is related to the COVID-19 virus which is causing and anticipated to continue to cause significant and widespread negative impacts on the financial health of members of the community.

SECTION 3.

That in approving this Resolution, the City Council is relying upon each and every matter and governmental action recited in the preamble, which is hereby incorporated by reference.

SECTION 4.

The City Council declares the termination and disconnection of utility service by Ameren Illinois and Illinois American Water for failure to pay for such service constitutes a pandemic safety risk.

SECTION 5.

That the City Council calls on the Illinois Governor to enact a mandatory moratorium on utility disconnections.

SECTION 6.

That the City Council commits to draft an ordinance on utility service protections for the City of Urbana residents.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2020.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor