

RESOLUTION 2021- 10

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAYTON FOR
TEMPORARY AUTHORIZATION FOR PAYMENT PLANS FOR MUNICIPAL
UTILITY ACCOUNTS**

WHEREAS, the World Health Organization has declared COVID-19 a global pandemic;

WHEREAS, on March 6, 2020, the Governor of the State of Indiana issued Executive Order 20-02 which declared a public health emergency exists throughout the State of Indiana as a result of the COVID-19 outbreak;

WHEREAS, on March 19, 2020, the Governor of the State of Indiana issued Executive Order 20-05 which prohibits providers of essential utility services such as water and wastewater services from discontinuing service to any customer during the public health emergency;

WHEREAS, on June 30, 2020, the Governor of the State of Indiana issued Executive Order 20-33 which extended the prohibition against terminating utility services through August 14, 2020, and encouraged utility companies and municipalities to provide payment plans to customers;

WHEREAS, the prohibition against terminating utility services expired on August 14, 2020;

WHEREAS, the Town of Dayton has complied with the applicable Executive Orders; however, the Town's utility customers have accrued, and may continue to accrue, balances during the public health emergency; and

WHEREAS, in an effort to maintain utility services to households within the Town, the Town Council desires to establish a payment plan for customers to cure delinquent account balances which accrued during or as a result of the public health emergency and avoid termination of municipal services.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF DAYTON, INDIANA, THAT:**

SECTION 1. PAYMENT PLAN ESTABLISHED: The Town of Dayton Utility Service Board ("Utility Service Board") and the Utility Clerk are hereby authorized to offer utility customers with a delinquent account balance a payment plan wherein they must:

- A. For twelve (12) consecutive months, pay in full the sum of the amount billed for the services rendered (charges for most recent month's usage) for each of the next twelve billing periods, plus an amount equal to one-twelfth of the past due amount shown on the current invoice.
- B. At the conclusion of the twelve-month payment plan, the utility customer's account must be current (due only for charges for most recent month's usage).

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- C. In the event that a utility customer fails to pay as agreed in the payment plan, the customer shall be eligible for termination of service and the Utility Service Board and the Utility Clerk shall follow the normal disconnection policy, including the assessment of the disconnection fee. Further, the entire past due amount shown on customer's account shall be immediately due and payable to avoid a disconnection of service.

SECTION 2. Utility Service Board and the Utility Clerk are authorized to create such forms and records as are necessary to document which utility customers are participating in the repayment plans authorized by this Resolution.

SECTION 3. ENROLLMENT PERIOD. To be eligible for a payment plan, a utility customer must sign and return a complete copy of the payment plan form to the Utility Clerk's Office on or before July 15, 2021. Absent having a payment plan in place by the date specified, utility services shall be terminated on the next business day for accounts with a delinquent balance, pursuant to the Town's normal disconnection policy. In addition, any accounts that was current through July 31, 2021 and becomes delinquent from August 1, 2021 through July 31, 2022 will be eligible for the payment plan. To be eligible for a payment plan for an account that was current through July 31, 2021 and becomes delinquent after August 1, 2021, a utility customer must sign and return a complete copy of the payment plan form to the Utility Clerk's Office no later than 30 days after the account become delinquent. The payment plan offer will only be extended one time for each account.

SECTION 4. This Resolution does not alter or amend any procedures specified in the Town Code of the Town of Dayton relating to a check issued for services which is not honored because of insufficient funds or no account found.

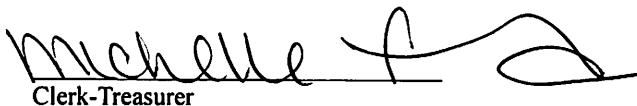
SECTION 5. This resolution shall be effective from and after passage.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect from upon adoption.

ADOPTED AND PASSED BY THE TOWN COUNCIL OF THE TOWN OF DAYTON, INDIANA THIS 15th DAY OF June, 2021.


Presiding Officer

ATTEST:


Clerk-Treasurer