

TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA

RESOLUTION NO. 2020-2

A RESOLUTION DECLARING AN EMERGENCY AND APPROVING WAIVER OF LATE CHARGE FEES TO RESIDENTS AND UTILITY RATE PAYERS IN THE TOWN OF SCHERERVILLE ON MONTHLY UTILITY BILLINGS AND INVOICES REQUIRED BY APPLICABLE ORDINANCES ESTABLISHING SUCH RATES AND CHARGES, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town of Schererville, Lake County, Indiana (hereinafter, the "Town"), is a unit of local government in Lake County, Indiana, duly organized as a Municipal Corporation under the provisions of applicable Indiana law; and

WHEREAS, the Town of Schererville, Lake County, Indiana is governed by its duly elected legislative and fiscal body, the Town Council (hereinafter, "Town Council"); and

WHEREAS, the Town Council, in its representative capacity, has been informed and advised of the Declaration of a Public Health Emergency for the COVID-19 outbreak in the United States, and is further aware of the spread of said COVID-19 into the State of Indiana; and

WHEREAS, the Town Council has been informed and advised that as a consequence of the coronavirus disease 2019 (COVID-19) outbreak, that the Governor of the State of Indiana has declared a Public Health Disaster Emergency in Executive Order 20-02, dated March 6, 2020, which Executive Order 20-02 has been renewed from the original expiration date of April 5, 2020, to May 5, 2020, unless same is further renewed; and

WHEREAS, from Executive Order 20-02 of Governor Holcomb dated March 6, 2020, to the present, there have been Executive Orders 20-04, 20-05, 20-06, 20-07, 20-08, 20-09, 20-10, 20-11, 20-12, 20-13, 20-14, 20-15, 20-16, 20-17 and 20-18 related directly to the declared Public Health Emergency as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States, with confirmed report of same in the State of Indiana; and

WHEREAS, the Town Council is aware of the foregoing Executive Orders issued by Indiana Governor Eric Holcomb, and are aware that included in said Executive Orders are provisions requiring all persons residing in Indiana to stay at home except for, among other things, conducting essential travel and activities, as well as participating in the operation of essential businesses, or the operation of essential governmental functions; further, significant other parameters and requirements of the Executive Orders are clarified and required by said Executive Orders, which has resulted in the closure of a large number of non-essential businesses, consequently creating loss of jobs, income, and ready fund availability to pay necessary and required life bills and expenses, including monthly Utility Billings and invoices of the Town for such utility services; and

WHEREAS, the Town Council, being duly advised in the circumstances of the coronavirus disease 2019 (COVID-19), requirement of Executive Order Mandate for residents of the State of Indiana to stay at home, and the consequences of such circumstances, now concurs and agrees that waiver of delinquent or late charge fees for requisite monthly utility billings and services charged and invoiced by the Town to the residents and utility ratepayers of the Town, as a consequence of the declared Public Health Emergency, is just, appropriate, and in the best interests of the residents and utility ratepayers of the Town of Schererville.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That the Town Council acknowledges the issuance of Executive Orders by the Governor of the State of Indiana declaring a Public Health Emergency existing throughout the State of Indiana as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States, and accordingly, acknowledges said Declaration of Public Health Emergency for purposes of this Resolution.

SECTION TWO: That the Town Council of the Town of Schererville, as a consequence of the aforementioned Public Health Emergency declared by the Governor of the State of Indiana, now concurs in and agrees that due to such emergency, late fees and charges on the monthly utility bills and invoices to the residents and utility ratepayers of the Town of Schererville for the billing cycles of April 10, 2020, due April 24, 2020, as well May 10, 2020, due May 24, 2020, are to be waived and removed. The Town Clerk-Treasurer is hereby authorized and directed to waive and remove such delinquent late fees for the billing periods in question on the books, records, and billing reports for such charges. Further, the waiver of late charge fees does not constitute a waiver of the monthly utility billing and invoice for the principle amount owing, in any event. This Resolution authorization is intended to provide relief for citizens and utility ratepayers of delinquent and late charge fees only.

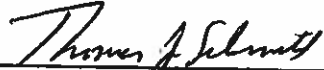
SECTION THREE: That the Town Clerk-Treasurer shall report on the policy results established hereby in the Town Council Public Meetings in May and June, 2020. Further, proper and lawful reporting and documentation of waivers given and issued shall be documented for the Indiana State Board of Accounts as determined appropriate by said State Board of Accounts entity.

SECTION FOUR: That the Town Clerk-Treasurer shall take all actions and steps required to implement and utilize the policy established hereinabove. The Clerk-Treasurer is further directed to inform and notify Town citizens and utility ratepayers of the policy and adoptive Resolution at the earliest opportunity, and report on these notification actions when accomplished.

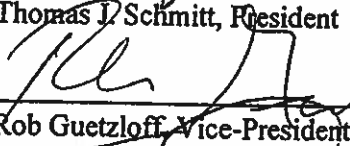
SECTION FIVE: That this Resolution shall take effect, and be in full force and effect, from and after its passage and approval by the Town Council of the Town of Schererville, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, THIS 8TH DAY OF APRIL, 2020.

**TOWN OF SCHERERVILLE, LAKE
COUNTY, INDIANA, TOWN COUNCIL**



Thomas J. Schmitt, President



Rob Guetzloff, Vice-President



Kevin Connelly, Member

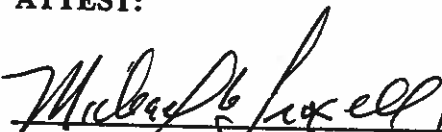


Robin Arvanitis, Member



Caleb Johnson, Member

ATTEST:



Michael A. Troxell, CMO, Clerk-Treasurer

