

ORDINANCE NO. 2087

**AN ORDINANCE AMENDING CENTRAL POINT MUNICIPAL CODE CHAPTERS 3.25.090, 3.26.080, 11.16.080, 11.20.070, AND CHAPTER 13.16 REGARDING DISCOUNTED UTILITY FEES FOR EXTREME HARDSHIP**

Recitals:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. Upon review, staff determined that amendments to the City Code are necessary with regard to fee discounts for extreme hardship for consistency between adopted City policy and City Code. In particular, the City desires to offer discounts for the Parks Maintenance Fee, Public Safety Fee, Stormwater or Water Quality Rate Fees, Transportation Utility Fee, and Water Rates to any household in the city with a combined total income which is less than 150% of the HHS Poverty Guidelines in effect each year.
- C. Words ~~lined through~~ are to be deleted and words in **bold** are added.

**THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

SECTION 1. Chapter 3.25.090 of the Central Point Municipal Code is amended in part as set forth below.

**3.25.090 Parks maintenance fee discount for extreme hardship.**

**A. Eligible households may apply for a discount of the parks maintenance fee pursuant to that procedure set forth in Section 13.16.030.** ~~Any household in the city with a combined total income falling below the federal poverty level shall be considered eligible to apply for a parks maintenance fee rate discount. Persons applying for a parks maintenance fee rate discount must be the person who receives the monthly water bill and is the head of a household.~~

~~B. Any person desiring to receive the parks maintenance fee rate discount must submit an application to the city on forms to be provided by the city. Subsequent to initial qualifications for utility fee discount, any person must reapply on or before June 15th of each year thereafter. The city manager shall determine whether any applicant meets the qualifications and requirements for discount as set forth in this chapter.~~

~~A. The amount of parks maintenance fee rate discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Section 13.16.030.~~

~~D. It is unlawful for any person to make, assist in making or to derive the benefits from any false application for discounts provided under this chapter. In addition to other penalties provided by law, the city shall be entitled to recover from any person or persons receiving the benefit of discounts as a result of any false statement made in any application the amount therefor, including interest at the rate of nine percent per year from the date such discounts were granted.~~

SECTION 2. Chapter 3.26.080 of the Central Point Municipal Code is amended in part as set forth below.

**3.26.080 Public safety fee discount for extreme hardship.**

~~A. Eligible households may apply for a discount of the public safety fee pursuant to that procedure set forth in Section 13.16.030. Any household in the city with a combined total income falling below the federal poverty level shall be considered eligible to apply for a public safety fee rate discount. Persons applying for a public safety fee rate discount must be the person who receives the monthly water bill and is the head of a household.~~

~~B. Any person desiring to receive the public safety fee rate discount must submit an application to the city on forms to be provided by the city. Subsequent to initial qualifications for public safety fee discount, any person must reapply on or before June 15th of each year thereafter. The city manager shall determine whether any applicant meets the qualifications and requirements for discount as set forth in this chapter.~~

~~C. The amount of public safety fee rate discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Section 13.16.030.~~

~~D. It is unlawful for any person to make, assist in making or to derive the benefits from any false application for discounts provided under this chapter. In addition to other penalties provided by law, the city shall be entitled to recover from any person or persons receiving the benefit of discounts as a result of any false statement made in any application the amount therefor, including interest at the rate of nine percent per year from the date such discounts were granted.~~

SECTION 3. Chapter 11.16.080 of the Central Point Municipal Code is amended in part as set forth below.

**11.16.080 Stormwater or water quality rate discounts for extreme hardship.**

~~A. Eligible households may apply for a discount of the stormwater or water quality fee pursuant to that procedure set forth in Section 13.16.030. Any household in the city with a combined total income falling below the federal poverty level shall be considered eligible to apply for a stormwater or water quality rate discount. Persons~~

~~applying for a stormwater or water quality rate discount must be the person who receives the stormwater or water quality bill and the head of a household.~~

~~B. Any person desiring to receive the stormwater or water quality rate discount must submit an application to the city on forms to be provided by the city. Subsequent to initial qualifications for utility discount, any person must reapply on or before June 15th of each year thereafter. The city manager shall determine whether any applicant meets the qualifications and requirements for discount as set forth in this chapter.~~

~~C. The amount of stormwater or water quality rate discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Section 13.16.030.~~

~~D. It is unlawful for any person to make, assist in making or to derive the benefits from any false application for discounts provided under this chapter. In addition to other penalties provided by law, the city shall be entitled to recover from any person or persons receiving the benefit of discounts as a result of any false statement made in any application the amount therefor, including interest at the rate of nine percent per year from the date such discounts were granted.~~

SECTION 4. Chapter 11.20.070 of the Central Point Municipal Code is amended in part as set forth below.

#### **11.20.070 Transportation utility fee discounts for extreme hardship.**

**A. Eligible households may apply for a discount of the transportation utility fee pursuant to that procedure set forth in Section 13.16.030.** Pursuant to Chapter 13.16, the annual income for extreme hardship must fall below one hundred fifty percent of the published federal poverty level in order to qualify for this discount.

~~B. Any person desiring to receive the transportation utility fee discount must submit an application to the city on forms to be provided by the city. Subsequent to initial qualifications for utility discount, any person must reapply on or before June 15th of each year thereafter. The city manager shall determine whether any applicant meets the qualifications and requirements for discount as set forth in this chapter.~~

~~C. The amount of transportation utility fee discount for eligible persons, provided under this chapter, shall be equal to the percentage water rate discount for extreme hardship, as established in Section 13.16.030.~~

~~D. It is unlawful for any person to make, assist in making or to derive the benefits from any false application for discounts provided under this chapter. In addition to other penalties provided by law, the city shall be entitled to recover from any person or persons receiving the benefit of discounts as a result of any false statement made in any application the amount therefor, including interest at the rate of nine percent per year from the date such discounts were granted.~~

SECTION 5. Chapter 13.16 of the Central Point Municipal Code is amended in part as set forth below.

**Chapter 13.16**  
**WATER AND UTILITY RATE DISCOUNTS FOR EXTREME HARDSHIP**

**13.16.010 Qualification for discount.**

Any residence being served by city water, **and/or subject to a parks maintenance fee, public safety fee, stormwater or water quality fee, and/or transportation utility fee** and with a combined, total income falling below **150% of the federal poverty guidelines as published by the Department of Health and Human Services** ~~the federal poverty level~~ shall be considered eligible to apply for a water rate discount to **each of the above-described fees**. Persons applying for a water rate discount must be the person who has signed up for the water service, a water customer of the city and the occupant of the residence. **For all other rate discounts, the person applying for the rate discount must be the person who receives the respective bill for which the discount is sought and the occupant of the residence. To qualify for a discount to any of the foregoing fees or water service, the applicant must not owe delinquent payments to the City for any utilities and other assessed fees and charges.**

**13.16.020 Application.**

Any person desiring to receive ~~a the water~~ rate discount must be the occupant of the residence and must submit an application to the city on forms to be provided by the city. Subsequent to initial qualifications for ~~utility-rate~~ discount, any person must reapply on or before **April June** fifteenth of each year thereafter. The finance department shall determine whether any applicant meets the qualifications and requirements for **the discounts** as set forth in this chapter.

**13.16.030 Amount of discount.**

The amount of discount for eligible persons, provided under this chapter, shall be fifty percent of the regular rate for water, inclusive of the fixed minimum rate established in Chapter 13.04, **and/or fifty percent of the monthly parks maintenance fee, public safety fee, stormwater or water quality fee, and/or transportation utility fee.**

**13.16.040 Unlawful acts--Penalties.**

It is unlawful for any person to make, assist in making or to derive the benefits from any false application for discounts provided under this chapter. In addition to other penalties provided by law, the city shall be entitled to recover from any person or persons receiving the benefit of discounts as a result of any false statement made in any application the amount thereof, including interest at the rate of nine percent per year from the date such discounts were granted.

SECTION 6. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 7. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

**PASSED** by the Council and signed by me in authentication of its passage this 26<sup>th</sup> day of May 2022.

  
Mayor Hank Williams

for

ATTEST

City Recorder

