



# *Resolution*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

No. 2127

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, SUSPENDING IMPOSITION OF LATE PENALTY CHARGE ON WATER UTILITY ACCOUNTS; SUSPENDING SHUT-OFF OF WATER SERVICE FOR NON-PAYMENT; AND SUSPENDING IMPOSITION OF SHUT-OFF FEE DUE TO THE DECLARED COVID-19 EMERGENCY; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mayor and City Council have issued proclamations and orders declaring an emergency due to the COVID-19 virus pandemic on March 13, 2020, March 18, 2020, March 20, 2020, and March 30, 2020, under the power granted by A.R.S. §26-311;

**WHEREAS**, the residents of the City of San Luis are experiencing extreme economic difficulties due to the COVID-19 virus pandemic causing the need for social distancing and emergency orders of the Governor of the State of Arizona and the City of San Luis; and

**WHEREAS**, the Mayor and City Council of the City of San Luis desire to not impose unnecessary economic hardship upon the residents of San Luis and recognize that public health, safety, and welfare benefits can accrue to the community due to the continued provision of public utility service during this time of emergency;

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of San Luis, Arizona as follows:

**Section 1.** That the ten percent (10%) late penalty charge on water utility accounts for late payment is hereby suspended and shall not be imposed for any late payment of any water utility charge that was incurred on or after March 13, 2020, until such time as the emergency proclamations of the City of San Luis issued as a result of the COVID-19 virus pandemic shall terminate or September 1, 2020, whichever first occurs.

**Section 2.** That water utility service shall not be discontinued, nor the water shut-off fee imposed for non-payment of utility charges incurred on or after March 13, 2020, until the emergency proclamations of the City of San Luis issued as a result of the COVID-19 virus pandemic shall terminate or September 1, 2020, whichever first occurs.

**Section 3.** In the event of a conflict between the provisions of this resolution and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this resolution shall govern.

**Section 4.** If any section, subsection, sentence, clause, phrase, or portion of this resolution is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution.

**Section 5.** It is necessary for the preservation of the peace, health and safety of the City of San Luis, Arizona, that an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

**PASSED, APPROVED AND ADOPTED** by the Mayor and City Council of the City of San Luis, Arizona, this \_\_\_\_ day of April 2020.

\_\_\_\_\_  
Gerardo Sanchez, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Sonia Cornelio, City Clerk

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Kay Marion Macuil, City Attorney