



Legislation Text

File #: 20-0121, **Version:** 1

Resolution of Council of the City of Hampton, Virginia Providing for Certain Relief for Hampton Taxpayers Financially Impacted by COVID-19

PURPOSE/BACKGROUND:

On March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One (51) declaring a state of emergency for the Commonwealth of Virginia arising from the novel coronavirus (COVID-19) pandemic. Executive Order Fifty-One (51) acknowledged the existence of a disaster as defined by Virginia Code Section 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread. Executive Order Fifty-One (51) ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate.

On March 13, 2020, the Governor further ordered all K-12 schools in the Commonwealth closed for two weeks. And, on March 17, 2020, along with the Virginia State Health Commissioner, issued an Order of the Governor and State Health Commissioner Declaration of Public Health Emergency (later amended) limiting the number of patrons in restaurants, fitness centers, and theaters to no more than 10 per establishment.

Quickly seeing those measures would not suffice to sufficiently limit the rapid spread of COVID-19, on March 23, 2020 the Governor issued Executive Order Fifty-Three (53), which (i) prohibits all public and private in person gatherings of 10 or more; (ii) ceased all in-person instruction for K-12 for the remainder of the 2019-2020 school year; (iii) closed all dining and congregation areas in restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, tasting rooms, and farmers markets effective through April 23, 2020; (iv) closed all public access to certain recreational and entertainment businesses until April 23, 2020; and (v) authorized only certain retail businesses deemed essential to remain open during normal business hours. In furtherance of that order, on March 30, 2020, the Governor issued a temporary stay at home order, effective until June 10, 2020.

In recognition of the financial stress and strain this disaster is imposing directly on many of the City’s taxpayers, the City Council is opting to exercise the authority granted pursuant to Code of Virginia §58.1-3916 to extend the due date for the payment of real estate and personal property taxes otherwise due on June 5, 2020, to August 1, 2020 whenever good cause exists. Good cause shall be determined on a case by case basis, through application made to the City’s Treasurer. Good cause for this purpose shall be a demonstrated financial loss or strain directly attributable to the COVID-19 disaster. Said applications must be submitted to the Treasurer, on a form and in the manner prescribed by the Treasurer no later May 15, 2020, to be eligible for this relief.

In furtherance of this initiative, the City Council shall also appropriate \$500,000 from Fund Balance to the Fiscal Year 2020 General Fund, to be allocated within that fund by the Director of Finance, at his discretion. The purpose of this appropriation is to offset the shortfall in the City's operating budget resulting from that penalty and interest that would have otherwise been collected, but for this extended due date and associated expenses.

Discussion:

See Purpose/Background above.

Impact:

See Purpose/Background above.

Recommendation:

Staff recommends approval.

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic;

WHEREAS, on March 12, 2020, Governor Ralph Northam declared a state of emergency in the Commonwealth of Virginia in response to the continued spread of COVID-19, and declared the anticipated effects of COVID-19 to be a disaster as described in Section 44-146.16 of the Code of Virginia, 1950, as amended;

WHEREAS, on March 15, 2020, Governor Northam announced a ban on all gatherings of one hundred or more people statewide, and a ban on gatherings of fifty people or more within the Peninsula Health District;

WHEREAS, on March 16, 2020, President Donald Trump urged people to avoid gathering in groups of more than ten people;

WHEREAS, on March 17, 2020, in an effort to increase social distancing to inhibit the spread of the virus, Governor Northam and the State Health Commissioner announced that all restaurants, fitness centers, and theatres are mandated to significantly reduce seating capacity to ten patrons or close, and the Governor's public announcement stated that the Commonwealth will follow the federal guidelines for gatherings of ten or more people;

WHEREAS, on March 23, 2020 the Governor issued Executive Order Fifty-Three (53), which

(i) prohibits all public and private in person gatherings of 10 or more; (ii) ceased all in-person instruction for K-12 for the remainder of the 2019-2020 school year; (iii) closed all dining and congregation areas in restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, tasting rooms, and farmers markets effective through April 23, 2020; (iv) closed all public access to certain recreational and entertainment businesses until April 23, 2020; and (v) authorized only certain retail businesses deemed essential to remain open during normal business hours;

WHEREAS, in furtherance of Executive Order 53, on March 30, 2020, the Governor issued Executive Order Fifty-Five (55) mandating a temporary stay at home order, effective until June 10, 2020;

WHEREAS, there have been confirmed cases of COVID-19 in the City of Hampton;

WHEREAS, the Council understands and acknowledges the financial stress and strain this disaster is imposing directly on many of the City's taxpayers;

WHEREAS, in an effort to alleviate some of that financial stress and strain, the City Council is opting to exercise the authority granted pursuant to Code of Virginia §58.1-3916 to extend the due date for the payment of real estate and personal property taxes otherwise due on June 5, 2020, to August 1, 2020 whenever good cause exists. Good cause for this purpose shall be a demonstrated financial loss or strain directly attributable to the COVID-19 disaster.

WHEREAS, good cause shall be determined on a case by case basis, through application made to the City's Treasurer, on a form and in the manner prescribed by the Treasurer no later than May 15, 2020. The Treasurer, in conjunction with the City Tax/Fee Collection Committee shall approve or disapprove all applications so made. Each taxpayer who has made application must receive notification of approval of their application to be eligible for this relief; and

WHEREAS, the City Council also recognizes the shortfall this initiative and associated expenses will create in the City's Fiscal Year 2020 Operating Budget and therefore also orders that \$500,000 shall be appropriated from the Fund Balance to the Fiscal Year 2020 General Fund, to be allocated within that fund by the Director of Finance, at his discretion.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hampton, Virginia that:

1. In accordance with Code of Virginia §58.1-3916 the due date for the payment of real estate and personal property taxes otherwise due on June 5, 2020, is extended to August 1, 2020 whenever good cause exists. Good cause for this purpose shall be a demonstrated financial loss or strain directly attributable to the COVID-19 disaster;

2. Extensions shall be granted on a case by case basis by the City's Treasurer, in consultation with the City Tax/Fee Collection Committee, through application made to the City's Treasurer, on a form and in the manner prescribed by the City's Treasurer;

3. To be eligible for this relief, applicants must submit said application to the Treasurer no later than May 15, 2020 and receive approval of their application; and

4. To offset the impact this relief and associated expenses will have on the City's Fiscal

Year 2020 Operating Budget, \$500,000 shall be appropriated from Fund Balance to the Fiscal Year 2020 General Fund, to be allocated within that fund by the Director of Finance, at his discretion.