



IV.-C.

Agenda Item

## County of Hanover

**Board Meeting: March 25, 2020**

**Subject:** Ordinance 20-07 Taxpayer and Ratepayer Relief

**Summary of Agenda Item:** The COVID-19 pandemic and related limitations have created serious disruptions throughout Virginia, including Hanover County. The massive financial repercussions of these disruptions has had an impact on (1) the hotels throughout the County that are responsible for collecting and remitting transient occupancy taxes and (2) utility customers who are connected to the water and sewer system operated by the Department of Public Utilities.

In light of the significant financial impact on utility ratepayers and those who are responsible for collecting and remitting transient occupancy taxes, it appears that some financial relief is appropriate. While the County cannot waive penalties and interest, it is responsible for setting the amounts of any penalty and the applicable interest rate.

Ordinance 20-07 provides that the applicable penalty shall \$0 and the interest rate shall be 0% for the next 60 days. This 60-day period is the maximum allowed for an emergency ordinance; should the Board wish to extend either or both of these modified penalty/interest rate periods, it may do so in accordance after the required public notice and public hearing.

**County Administrator's Recommended Board Motion:** Motion to (1) adopt Ordinance 20-07 and (2) authorize the advertisement of a public hearing for consideration of this ordinance in accordance with the general notice provisions of the Code of Virginia



**ORDINANCE 20- 07**

**EMERGENCY**

**AN ORDINANCE TO PROVIDE THAT, NOTWITHSTANDING THE PROVISIONS OF THE HANOVER COUNTY CODE TO THE CONTRARY, DURING THE PENDENCY OF THE LOCAL EMERGENCY AS DECLARED ON MARCH 13, 2020 AND RATIFIED ON MARCH 25, 2020 BY THE HANOVER COUNTY BOARD OF SUPERVISORS, BETWEEN MARCH 25, 2020 AND MAY 23, 2020 THERE SHALL BE NO PENALTY OR INTEREST CHARGED FOR THE LATE PAYMENT OF WATER AND SEWER CHARGES AND THE LATE REMITTANCE OF TRANSIENT OCCUPANCY TAXES.**

WHEREAS on March 13, 2020, the County Administrator, acting as Director of Emergency Management pursuant to authority of the Board of Supervisors, declared that an emergency existed in Hanover County requiring activation of the Emergency Operations Plan pursuant to Section 44-146.21 of the Code of Virginia in response to the public health crisis and disaster created by the COVID-19 pandemic; and

WHEREAS on March 25, 2020, the Board of Supervisors confirmed the Declaration of Local Emergency in accordance with Section 44-146.21 of the Code of Virginia; and

WHEREAS the Board of Supervisors has determined that water and sewer ratepayers and those who remit transient occupancy taxes will be significantly impacted by the effects of the Local Emergency; and

WHEREAS the Board of Supervisors has determined that providing relief for these ratepayers and taxpayers from penalties and interest for the late payment or remittance of charges and taxes will provide significant assistance to those individuals; and

WHEREAS the Board of Supervisors has determined that, due to the nature of the Local Emergency, such relief should be granted before the notice and advertising requirements of the Code of Virginia can be complied with; and

WHEREAS Section 15.2-1427(F) of the Code of Virginia provides that the Board may adopt emergency ordinances without prior notice;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That, notwithstanding the provisions of Sections 20-32 and 23-66 of the Hanover County Code, between March 13, 2020 and May 23, 2020, the penalty shall be \$0 and the interest rate shall

be 0% for the late payment of water and sewer charges.

2. That, notwithstanding the provisions of Section 22-113 through 22-115 of the Hanover County Code, between March 13, 2020 and May 23, 2020, the penalty shall be \$0 and the interest rate shall be 0% for the late remittance of transient occupancy taxes.
3. This ordinance shall be effective on the date of adoption.
4. That, since this Ordinance is adopted as an Emergency Ordinance pursuant to Section 15.2-1427(F), its provisions shall be in effect for sixty days unless the Board adopts an ordinance in accordance with the general notice and public hearing requirements set forth in the Code of Virginia.