



# Committee of the Whole

Ryan Countryman

Council Initiated:

☐ Yes

☒ No

**ECAF:** 2024-1002

**Ordinance:** 24-045

**Type:**

☐ Contract

☐ Board Appt.

☒ **Code Amendment**

☐ Budget Action

☐ Other

**Requested Handling:**

☒ **Normal**

☐ Expedite

☐ Urgent

**Fund Source:**

☐ General Fund

☐ Other

☒ **N/A**

**Executive Rec:**

☒ **Approve**

☐ Do Not Approve

☐ N/A

**Approved as to**

**Form:**

☒ **Yes**

☐ No

☐ N/A

**Subject:** Code amendment – Delinquent surface water service charges.

**Scope:** Ordinance 24-045 would amend SCC 25.20.120 Delinquent Service Charges.

**Duration:** N/A

**Fiscal Impact:** ☐ Current Year ☐ Multi-Year ☒ **N/A**

**Authority Granted:**

This code amendment would allow DCNR to bring forward a motion to cancel uncollectible surface water service charges at any time during collections actions.

**Background:**

[SCC 25.20.120\(6\)](#) authorizes the director of DCNR to determine that it is not in the public interest to foreclose on a collection lien for delinquent service charges. This could be “due to lack of economic value of the property subject to foreclosure and/or liability to the public that would arise in the event of acquisition of the property subject to foreclosure”. To cancel uncollectable surface water charges, the director may currently file with the County Council “on or **before the first day of February following the year in which such assessments shall remain delinquent for a period of three years**, a list of such delinquent accounts together with an affidavit of the director or his designee, stating the reasons why it is not in the public interest that those properties subject to lien for delinquent service charges should be foreclosed” (bolding added). This current phrasing limits the timeframe when the director may transmit a motion to the County Council containing a list and explanation of uncollectable charges that the Council could then consider cancelling.

The county has a need to act on cancellation of delinquencies outside the current timeframe allowed by code. Ordinance 24-045 would replace the bolded phrasing above with the words “**at any time**”. This would allow DCNR to bring the cancellation of uncollectable surface water charges to the County Council at any time during collection actions.

**Request:** Set time and date for a public hearing. Suggested: July 3, 2024, at 10:30 a.m.