

**RESOLUTION No. 56 of 2020**

**Moved by:** \_\_\_\_\_

A Resolution of the City Council of the City of Harrisburg to ratify and confirm the provisions of Executive Order No. 3 of 2020 that provides for an application for impacted businesses for a one-time credit on commercial solid waste disposal and collection accounts, issued in conformity with the Mayoral *Declaration of Public Health COVID-19 Disaster Emergency*.

**WHEREAS**, a Mayoral *Declaration of Public Health COVID-19 Disaster Emergency* was issued on the 16<sup>th</sup> day of March, 2020, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. § 7501; and

**WHEREAS**, the Mayor's Declaration of Emergency was issued in a manner consistent with a series of sweeping federal and Commonwealth emergency measures adopted to slow the spread of a novel coronavirus that had swiftly swept the globe, which included a statewide closure of non-essential businesses, schools and stay-at-home orders for residents; and

**WHEREAS**, subsequent to the issuance of that original declaration, a series of related measures were adopted to mitigate the public health and fiscal impacts in Harrisburg, including the closure of all City facilities otherwise subject to public access; the suspension or deferral of certain penalties and enforcements activities; a limited emergency small business stabilization program; the coordination of services to mitigate the spread of Covid-19 among the homeless; and other provisions, some of which now are expired and others which remain in effect as the ongoing risk of infection following the positive impacts of the Statewide mitigation efforts have not yet been fully determined; and

**WHEREAS**, notwithstanding subsequent developments providing for a gradual but restricted reopening of commercial activity, the original Declaration of Emergency remains in full force and effect at this time; and

**WHEREAS**, consistent with the power and authority vested in the Office of Mayor under both the Optional Third Class City Charter Law, 53 P.S. §41401, *et seq.*, and the Emergency Management Services Code, the Mayor directed that Departments implement a program to assist eligible City customers whose commercial sanitation accounts were up-to-date prior to the Governor's mandatory closure of non-essential businesses and the related stay-at-

home orders, which program is more fully described in Executive Order No. 3 – 2020, a true and correct copy of which is attached hereto, incorporated herein and marked as Exhibit A; and

**WHEREAS**, on 14<sup>th</sup> day of April, 2020, the Council adopted Resolution 25 - 2020, ratifying and confirming the Declaration of Emergency and subsequent measures to date, while also providing that subsequent emergency measures adopted consistent with the original Declaration shall be deemed approved under the authority of that Resolution; and

**WHEREAS**, as the program under Executive Order No. 3 shall result in credits being applied to eligible commercial accounts through year-end and, therefore, potentially after the state of emergency is lifted, the provisions thereof now are presented to Council for approval in order to prevent any later uncertainty as to the ongoing nature of the authorization; and

**WHEREAS**, the Council now finds that some businesses within the City who have been subject to paying commercial sanitation accounts have been negatively impacted by the loss of business activity during the state of emergency, incurring losses regardless of the whether they had to fully shut their doors or not, as the closure of other businesses and schools, as well as the stay-at-home orders applicable to their customer base, resulted in direct negative impacts on businesses; and

**WHEREAS**, accordingly, the Council of the City of Harrisburg hereby ratifies and endorses the program set forth in Executive Order No. 3 to provide credits to eligible commercial account holders who have been negatively impacted by the emergency closures and related shutdowns, which program benefits shall be offered in a manner consistent with the Mayor's described program.

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF HARRISBURG** that a program to provide certain credits for commercial sanitation accounts for impacted businesses in the City is hereby approved.

**BE IT FURTHER RESOLVED**, that the Mayor, Director of Community and Economic Development, Director of Public Works and other appropriate City officials are authorized and directed to take all steps necessary to further effectuate the purpose of this Resolution.

Seconded by: \_\_\_\_\_

# **Exhibit A**



City of Harrisburg  
Office of the Mayor

Mayoral Executive Order No. 3 – 2020

**EXECUTIVE ORDER  
OF ERIC PAPENFUSE, IN HIS  
OFFICIAL CAPACITY AS MAYOR OF THE CITY OF HARRISBURG**

**WHEREAS, I, ERIC PAPENFUSE**, Mayor of the City of Harrisburg, situated in Dauphin County, Pennsylvania, having been duly vested with full Executive powers and authority for and on behalf of the City of Harrisburg, state and declare the following:

**WHEREAS**, a *Mayoral Declaration of Public Health COVID-19 Disaster Emergency* was issued on the 16<sup>th</sup> day of March, 2020, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. § 7501, which was made consistent with a series of sweeping emergency federal and Commonwealth measures to slow the spread of a novel coronavirus that had swiftly swept the globe and which remains, notwithstanding subsequent developments toward the restricted reopening of commercial activity, in full force and effect at this time; and

**WHEREAS**, subsequent to the issuance of that original declaration, a series of related measures were adopted to mitigate the public health and fiscal impacts in Harrisburg, including the closure of all City facilities otherwise subject to public access; the suspension or deferral of certain penalties and enforcements activities; a limited emergency small business stabilization program; the coordination of services to mitigate the spread of Covid-19 among the homeless; and other provisions, some of which now are expired and others still remaining in effect as the risk of infection that remains following positive impacts of the Statewide mitigation orders are not yet fully determined; and

**WHEREAS**, consistent with the power and authority vested in the Office of Mayor under both the Optional Third Class City Charter Law, 53 P.S. §41401, *et seq.*, and the Emergency Management Services Code, I hereby direct the Director of Community and Economic Development and the Department of Public Works to implement a program to offer assistance to eligible City customers who paid their commercial sanitation accounts during the course of the Governor's mandatory closure of non-essential businesses and stay-at-home orders; and

**WHEREAS**, I further direct that the program requirements include eligibility criteria which, at a minimum, shall provide that an applicant: must be a City-licensed, non-residential

business in the City who pays commercial rates on their sanitation account; must demonstrate their business was negatively impacted by the Governor's Orders, Proclamations or Directives that closed businesses and schools, while requiring residents to stay home; must have received no prior credit or reduced rate from the City during the state of emergency; and must have been current on their City commercial sanitation account(s) as of March 16, 2020, the date on which the Governor imposed a statewide public health shutdown of all non-essential businesses; and

**WHEREAS**, I further direct that the program shall require an application for relief be made on or before August 1, 2020, through an application to be made available by the City; and

**WHEREAS**, I further direct that the relief available to eligible applicants shall be in the form of a credit for up to two (2) months of collection and disposal rates paid during the shutdown, which the City will apply incrementally to eligible applications over the final four (4) billing cycles of 2020; and

**WHEREAS**, I further direct that the Director of Community and Economic Development shall cause to be prepared the necessary notices, application, instructions and related documents, as well as any other necessary program criteria to provide for a one-time credit, which shall be developed in a manner consistent with other emergency relief and assistance programs; and

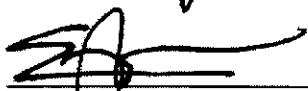
**WHEREAS**, I further direct the Departments of Public Works and Bureau of Information Technology to prepare, confirm, and provide an accurate list of eligible commercial accounts in coordination with the Director of Community and Economic Development and furthermore provide necessary support and assistance thereto in order for timely and proper notice to be given to potential applicants regarding the program.

**AND SO NOW**, I do hereby ORDER AND DIRECT, the Director of Community and Economic Development, the Director of the Department of Public Works, and other appropriate City personnel take all actions necessary to effectuate the foregoing.

**IN WITNESS WHEREOF**, I, **ERIC PAPENFUSE, MAYOR OF CITY OF HARRISBURG** have hereunto set my hand and seal this 22<sup>nd</sup> day of June, 2020.

WITNESS:




  
\_\_\_\_\_  
**ERIC PAPENFUSE**  
**MAYOR OF CITY OF HARRISBURG**

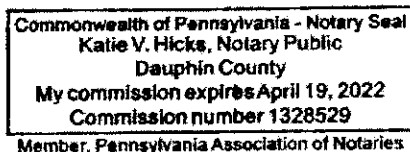
COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF Dauphin :

On this, the 22<sup>nd</sup> day of June, 2020, before me, a Notary Public, the undersigned officer, personally appeared **ERIC PAPENFUSE, Mayor of City of Harrisburg**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
NOTARY PUBLIC



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**INTER**

**OFFICE**

# MEMO

To: HARRISBURG CITY COUNCIL  
From: Kirk Petroski, City Clerk  
LEGISLATIVE APPROVAL FORM

Date:

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2020      RESOLUTION NO. 56 -2020

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:

/s/Neil A. Grover  
City Solicitor

June 22, 2020  
Date

Requested by Department/Bureau: Mayor/ Dept of C&ED

Department/Bureau Contact Person: Mayor/Nona Watson

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

Received by: \_\_\_\_\_



Date: \_\_\_\_\_