

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, active duty service members whose residences are unoccupied for the duration of their deployment are inconvenienced with service installation and monthly costs for services that are not utilized; and

**WHEREAS**, the Service members Civil Relief Act (SCRA), is a federal law designed in 1918 meant to support full-time military personnel by providing financial relief to members during extended periods of military service; and

**WHEREAS**, the SCRA covers issues such as security deposits, rental agreements, evictions, and other housing and financial relief benefits, but does not apply to many charges issued by the city, such as waivers on monthly fees charged by Austin Resource Recovery (ARR); and

**WHEREAS**, Rule §4-1-12, of the ARR Administrative Rules, states that, “Regardless of occupancy, premises will be charged the cart fee if a cart is present. Premises that are not occupied may have their carts removed ... Once the carts have been removed, the cart fee will be removed from the billing account. The Base Charge and Clean Community Fee will continue to be billed while the electric or water utility services are active”; and

**WHEREAS**, Rule §4-1-13, of the ARR Administrative Rules, states that, “Customers that will be away from the premise for a period of at least (3) three months (90 days) may request to have their carts removed from the premise... Upon their return, the customer must call the Utility Contact Center... to request a cart drop-off. The Cart Exchange Fee will be charged to re-deliver the cart”; and

**WHEREAS**, notice of due payments are often received by physical mail or e-mail, and active duty service members are often not in a position to take care of their bills until their return, thus incurring additional late charges; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council directs the City Manager to examine currently implemented Austin Resource Recovery policies that may unintentionally burden service members with city imposed fees on unoccupied residences during a period of active duty and provide Council with recommendations for an active duty military exemption to the afore-mentioned fees imposed, including those under ARR Administrative Rule 4-1-12 and 4-1-13;

**BE IT FURTHER RESOLVED:**

The City Manager is directed to bring back possible provisions to the current Austin Resource Recovery Administrative Rules that address the possible reduction or waiver of fees for full-time active duty military personnel whose residences are unoccupied for extended periods of time during their deployment.

**BE IT FURTHER RESOLVED:**

The City Council directs the City Manager to examine other city imposed fees that apply to unoccupied residences during a period of deployment, including but not limited to the Clean Community Services Fee, Drainage Fee, and Transportation User Fee, and provide Council with recommendations on possible reduction, cap, or exemption.

**ADOPTED:** \_\_\_\_\_, 2018    **ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk