

13-02-01: AUTHORITY:

The following regulations governing the water system of the town have been adopted by the town council pursuant to the authority granted by Montana Code Annotated section 69-7-201 and this chapter. (2019 Code)

13-02-02: REQUEST FOR SERVICE CONNECTION; FEE:

- A. Request For New Service: Any person desiring a new water service for a property within the service area of the town water system shall make the request at the town office.

- B. Connection Fee: Connection fees shall be as provided in the fee schedule appendix on file in the town office. The fee must be paid in full before water will be connected. Once water service is activated, the property owner will be billed for water, sewer (if applicable). (2020 Code)

13.02.03: ACTIVATION, DISCONNECTION OR RECONNECTION; FEE:

Requests for water service activation or disconnection may only be made by the property owner. A reconnection fee as provided in the fee schedule appendix on file in the town office will be assessed on the first billing after reconnection is made. No person, other than an authorized individual from the town, shall turn water valves on or off. If a reconnection is requested on a weekend or evening, an additional fee as provided in the fee schedule appendix will be assessed. (2020 Code)

A city water user who requests the permanent discontinuance of their water service shall pay the shut off fee as established by the City Council. Water service shall then be shut off at the curb box and/or the meter removed. Any such water user shall continue to pay the inactive user rate until that property's portion of any bonded indebtedness relating to the Big Sandy water system has been fully paid. The water user shall have the option of paying in full the outstanding balance of the bond indebtedness at the time of permanent discontinuance of service. Any properties that fall under the inactive user definition at the date of this ordinance's adoption will be responsible for the inactive user rate outlined in the fee schedule appendix. If an inactive user wishes to remove the city curb stop and supply line from their property the water user shall continue to pay the inactive user rate until that property's portion of any bonded indebtedness relating to the Big Sandy water and sewer systems have been fully paid. The water user shall have the option of paying in full the outstanding balance of the bond indebtedness at the time of permanent discontinuance of service.

13.02.04: METERS:

- A. Meter Required: All properties to which town water is supplied shall be equipped with an operating water meter. The town will furnish a five-eighths inch by three-fourths inch ($\frac{5}{8}$ " x $\frac{3}{4}$ ") meter, which shall remain the property of the town after installation. If a larger meter is required, the town will contribute the amount equal to a five-eighths inch by three-fourths inch ($\frac{5}{8}$ " x $\frac{3}{4}$ ") meter, and the property owner will contribute the difference. A separate meter is required for each individual residence and each individual business, but combined residences and businesses occupying the same building may be served by a single meter. The meter must be installed within seventy feet (70') of the main or a meter pit is required. If service extends to a second building on the premises, such as a shop or garage, the line must be plumbed after the meter or a second meter must be purchased and will incur only water use charges.

- B. Installation Of Meter: The town will install the meters. All meters shall be installed in a dry frost free environment. If a meter pit is required, the meter will be installed at the property owner's expense. The property owner is responsible for the maintenance of the meter pit.

- C. Reading Meters: A town employee will read meters. A touch pad or drive by reader will be installed at the time of meter installation and the employee must have access to the touch pad located on an exterior wall.

- D. Testing Meters: Any municipal water meter shall be taken out and tested upon complaint of the consumer, upon payment of a fee as provided in the fee schedule appendix on file in the town office. If upon test the meter is not within three percent (3%) of being accurate, it shall be repaired or replaced and the fee returned to the consumer.

- E. Meter Reading Unavailable: Whenever meter readings for any billing period are unavailable, whether due to meter malfunction, weather conditions or other cause, water bills shall be calculated on the basis of an average monthly seasonal consumption rate for the premises. If such average rate is unavailable or is not reasonably applicable, the billing shall be estimated from a comparison with similar households or businesses in the community. At such time as normal monthly readings can be obtained, the actual metered rate will be reinstated. (2020 Code)

13.02.05: RATE SCHEDULE:

- A. Water Service Schedule: The schedule of rates based on meter readings shall be charged for town water service as provided in the fee schedule appendix on file in the town office.

- B. Modification Of Rate Schedule: The rate schedule may be amended from time to time by resolution of the town council in accordance with this code and the laws of the state. Any such resolution modifying the rate schedule shall also provide for amendment of these regulations to reflect the new rate schedule. (2019 Code)

13.02.06: COLLECTION OF WATER CHARGES:

- A. Billing Cycle: Water meters shall be read monthly on or about the twenty fifth day of each month and bills for water used shall be issued by the town on or about the last day of each month for payment on or before the twenty fifth day of the following month.

- B. Party Responsible For Payment: The owner of the property shall be responsible to pay bills for services provided to the premises. Bills may be put in renter's name with a signed approval of the property owner, but the owner is ultimately responsible. Service that has been disconnected will not be restored until delinquent charges have been paid in full. Delinquent charges stay with the property, not with the individual.

- C. Notice Of Delinquent Water Bills: Past due notices are sent by mail on or about the middle of the month after an account is more than thirty (30) days past due. The owner of a rental that is delinquent is notified by mail at that time as well. The notice will state a disconnection date

(normally between 1½ to 2 weeks' notice). If payment is not received, a certified letter will be sent with a final warning of disconnect in two (2) to four (4) days, depending on how the weekend falls. The cost of the certified letter (between \$5.00 and \$6.00) will be added to the delinquent account. If no payment or arrangements are made, the service will be disconnected and will not be reconnected until all delinquent charges and a reconnection fee as specified in the fee schedule appendix on file in the town office is paid in full. The owner of a rental will have the opportunity to pay the renter's delinquent charges before disconnection is made and avoiding the reconnection fee.

D. Council Authority To Defer Payment: The town council shall have the authority to continue providing water service and to defer the payment of delinquent water bills after notice of delinquency is sent as hereinabove provided, if, in the council's judgment, good cause exists for such deferment. (2019 Code)

13.02.07: ADJUSTMENTS FOR MECHANICAL MALFUNCTIONS:

If there was extraordinary water consumption on any premises by reason of broken pipes, faulty toilet seals or other similar cause and that the excessive water use was unknown to the consumer and was promptly corrected upon discovery, the town council may adjust the water bill for said billing period if the property owner asks for such leniency. (2020 Code)

13.02.08: ADEQUATE PLUMBING REQUIRED:

Residential properties may not install a service line larger than one inch (1") for water service. Businesses requiring a service line greater than one inch (1") must request permission from town authorities. All services are required to have a main shutoff valve that is accessible and in good working order. Water service may be shut off at the discretion of the town in cases where the plumbing or associated improvements have become inadequate through time or neglect. Service will be restored when the problem is taken care of. (2020 Code)

13.02.09: PIPES AND PLUMBING KEPT IN GOOD REPAIR:

Owners of properties served shall keep the pipes and plumbing upon their premises in good repair and prevent the waste or leakage of water, and shall be held liable for all damage to the town for their failure to do so. All repairs for service pipes and plumbing systems of premises shall be made by and at the expense of the owner of the premises served. The water department will turn water service off and on for maintenance and repairs during regular department hours. Call outs after hours will be charged a minimum of fifty dollars (\$50.00). No one other than town personnel are to attempt to turn water off or on at the curb stop. A fine of five hundred dollars (\$500.00) may be implemented against the offender. (2020 Code)

13.02.10: RESALE OF WATER:

Water from the town water system may not be resold by users to any organization, company or individual. Water hoses may not service another neighboring residence with water unless authorized by the town during an emergency. (2020 Code)

13.02.11: ONE CONNECTION PER BUILDING:

It shall be unlawful for any owner, agent or tenant to supply or permit to be supplied any water to two (2) or more buildings through one and the same connection, except on special contract with the town.

13.02.12: TURNING ON WATER BY AUTHORIZED PERSONNEL:

Water may be turned on at the curb cock only by an authorized employee of the town, and, if turned on by another person, a penalty of five hundred dollars (\$500.00) shall be assessed against the property and, in addition thereto, the unauthorized person so turning on the water shall be guilty of a misdemeanor. (2020 Code)

13.02.13: FIRE HYDRANT USAGE AND METERING:

A. Hydrant Use: No one may open a fire hydrant except for town personnel and members of the volunteer fire department. Anyone caught opening or tampering with a fire hydrant without permission will be fined five hundred dollars (\$500.00).

B. Hydrant Meter: A meter for fire hydrant use is available upon request. There is a base rate for the installation of the meter, plus a fee for per gallons used as provided in the fee schedule appendix on file in the town office. (2020 Code)

13.02.14: BULK WATER STATION AND USE:

A. Connections: All bulk water users must provide their own connections to the system.

B. Chemicals: No chemicals are allowed on any truck filling at the bulk station.

C. Fees: Fees shall be as provided in the fee schedule appendix on file in the town office. (2019 Code)