

TOWN OF PHILIPSBURG

RESOLUTION 2021-2

A RESOLUTION APPROVING NEW TOWN OF PHILIPSBURG WATER AND SEWER REGULATIONS

WHEREAS, The Town of Philipsburg's ordinance 10-1-3 and Town of Philipsburg ordinance 10-2-2 call for documents called "Town of Philipsburg Water Regulations" and "Town of Philipsburg Sewer Regulations", respectively, and;

WHEREAS, the attached exhibit A has been discussed and revised at previous council meetings and committee meetings.

NOW, THEREFORE,

1. The Town Council of Philipsburg hereby adopts the Water and Sewer Regulations attached hereto as exhibit A.
2. Exhibit A is entitled Town of Philipsburg Water and Sewer Regulations and the document as a whole shall serve as both the Water Regulations referenced in Town of Philipsburg ordinance 10-1-3 and the Sewer Regulations referenced in Town of Philipsburg ordinance 10-2-2.

Attest:

Approved:



Clerk/Treasurer



Mayor

The following Council Members voted in favor of the Resolution:

John Johnson, Carl Sundstrom, DuWayne Ulrich, Scott Lyons, Max Statler, John Laigaie

The following Council Members voted against the Resolution:

The following Council Members were absent or abstained:

Exhibit A: TOWN OF PHILIPSBURG WATER AND SEWER REGULATIONS

I. Water and Sewer Connection Application and Fees

All requests for water and sewer hookups, including hook-ups, extensions, modifications, and re-hook-ups, must be submitted via application with Town Hall. Upon receipt of the application the Public Works Department will inspect and inform the property owner of findings. The application fee is one hundred dollars (\$100.00). The Public Works Department reserves the right to reject or conditionally accept any application for service to any property if, in the opinion of the Director of Public Works, such a connection might jeopardize the existing water system by causing excessive demand upon the Town's water supply, by impairing the Town's ability to deliver water for domestic use or fire protection, or by overloading sewer capacity. Any person aggrieved by the Public Works Department's action on an application may appeal that action to the Town Council by writing a letter requesting to have the issue reviewed at a regularly scheduled Town Council meeting.

No work may be commenced prior to the processing of the payment of all fees associated with the physical connection of water or sewer services by the Town water or sewer user. Said fees are listed below. The system development fees (includes costs for physical connection to the Town's water main or sewer main) are set at three thousand dollars (\$3,000.00) per unit. A three thousand dollar (\$3000.00) fee is required for hookup to the Town's water system and separate three thousand dollar (\$3000.00) fee is required for hookup to the Town's sewer system. Fees for a water and/or sewer user to be physically disconnected from the water or sewer supply, as requested by the Town water or sewer user, are set at three thousand dollars (\$3,000.00) per unit. A three thousand dollar (\$3000.00) fee is required to disconnect from the Town's water system and separate three thousand dollar (\$3000.00) fee is required to disconnect the Town's sewer system. All fees set herein are in addition to the utility inspection fee of one hundred dollars (\$100.00). The fees set forth herein are equitable in proportion to the services and benefits rendered and may be changed from time to time without notice by the Town Council.

II. TOWN OF PHILIPSBURG WATER REGULATIONS

1. Main Connections. Upon approval by the Town Council and payment of all fees pursuant to section I, above, the Public Works Department shall expose and tap the main, install a service saddle, corporation valve, and curb stop. The customer's Three Thousand Dollar (\$3,000.00) hook-up fee will cover the expense for labor, equipment, and materials for such installations. The customer will contact the Public Works Department for notification and scheduling of proposed hook-up.

2. Service Lines. The customer, at the customer's expense, shall be responsible to install all piping and appurtenances from the curb stop to the point of usage for the building or home. The connection to the curb stop must be made by a Montana-licensed master plumber. The surface condition will be restored to that which existed before the installation. The customer shall cause an appropriate service line to be installed between the corporation valve and the curb stop in a manner approved by the Town Public Works Department. The curb stop and curb box shall be

Exhibit A: TOWN OF PHILIPSBURG WATER AND SEWER REGULATIONS

installed by the customer as specified and approved by the Town Public Works Department in the public right of way or an easement in a location that is readily accessible to the Town Public Works Department.

3. Water meters. Water meters are required. All new hookups to the town's water system, and all new Town water users shall purchase their own water meter and water meter pit from the Town and have such installed by a Montana-licensed master plumber to install the water meter as directed by the Town. Water meter pits are required for all new hookups.

4. Maintenance and Responsibilities.

a. The customer shall maintain, at the customer's expense, all service piping and appurtenances in a good condition, free from leaks. Failure to do so shall be cause for discontinuance of service. If curb boxes are not maintained to a condition that the service can be shut off or turned on freely, the Public Works Department reserves the right to make whatever repairs are necessary to return the shut-off to full function and charge the customer for labor, equipment, and materials necessary to make the repair.

b. It is the customer's responsibility to repair any leaks in the service line immediately upon discovery. The Public Works Director and all Town personnel may not recommend any specific private contractor or company to assist the customer in the repair and maintenance of any private service lines. It is the sole responsibility of the customer to make contact and employ a qualified professional for services needed.

c. Any digging in a street, alley, or other Town right-of way must be performed by a licensed and insured contractor, or, only upon approval by the Director of Public Works, upon the posting of a suitable bond.

d. All new water main service connection materials, construction, and inspection required hereunder shall be at the sole cost and expense of the customer.

e. For a water main extension, the customer must submit a blueprint produced by a state certified engineer of the customer's choice. All charges for engineering services shall be at the sole cost and expense of the customer.

f. Upon the completion of the water main extension the customer must provide the Public Works Director with reproducible Mylar drawings that accurately indicate the water main extension as actually installed, in plan and profile. No water main extension shall be accepted until "as-built" drawings are provided.

g. Non-emergency (as determined by the Director of Public Works) main connections will not be made outside of the May 1 to September 30 timeframe or as weather and work scheduling permits.

h. For all new construction, the Town recommends that the customer install all new service lines. Any connection to pre-existing service lines is at the customer's risk.

III. TOWN OF PHILIPSBURG SEWER REGULATIONS

1. Main Connections. Upon approval by the Town Council and payment of all fees pursuant to section I, above, and after the customer has exposed the sewer main, the Public Works Department shall install a service saddle on the sewer main to facilitate connection of the sewer service line. The customer's Three Thousand Dollar (\$3,000) hook-up fee will cover the expense for labor, equipment, and materials for such installation. The customer shall fill in the excavation and restore the surface to that which existed before the installation. The customer will contact the Public Works Department for notification and scheduling of the proposed hook-up.

2. Service Lines. The customer, at the customer's expense, shall be responsible to install all piping and appurtenances from the main connection to the point of usage for the building or home. The surface condition shall be restored to that which existed before the installation. All material, pipe, appurtenances, valves, and auxiliary piping shall be designed and installed in a manner and with materials approved by the town public works department.

3. Sewer Backflow Preventers. Sewer backflow preventers add a layer of protection against sewage backing up into buildings in the event that a sewer line becomes clogged. Sewer backflow preventers are required to be installed by the customer at the customer's expense on all new sewer service lines. Sewer backflow preventers are recommended to be installed on all existing sewer service lines. The Town is not responsible for damage caused by sewer backups.

4. Maintenance and Responsibilities.

a. The customer shall maintain, at the customer's expense, all service piping and appurtenances in a good condition, free from leaks. If a leak of waste water is detected and not immediately attended to by property owner, the Public Works Department reserves the right to make necessary repairs so that the line may be returned to full function and charge the customer for labor, equipment, and materials necessary to make the repair in consideration of public health and safety.

b. Town personnel may not recommend any specific private contractor or company to assist the customer in the repair and maintenance of any private service lines. It is the sole responsibility of the customer to make contact and employ a qualified professional for services needed.

c. All new sewer main service connection materials, construction, and inspection required hereunder shall be at the sole cost and expense of the customer.

d. For a sewer main extension, the customer must submit a blueprint produced by a state certified engineer of the customer's choice. All charges for engineering services shall be at the sole cost and expense of the customer.

e. Upon the completion of the sewer main extension the customer must provide the Public Works Director with reproducible Mylar drawings that accurately indicate the sewer main extension as actually installed, in plan and profile. No sewer main extension shall be accepted until "as-built" drawings are provided.

Exhibit A: TOWN OF PHILIPSBURG WATER AND SEWER REGULATIONS

f. *Things that should never be flushed or drained include but are not limited to:*

Sanitary wipes, Paints, solvents, gasoline, combustible fuels, toxic chemicals, antifreeze, medicines, pharmaceuticals, paper towels, cloth, disposable diapers, baby wipes, feminine products, needles, razor blade, large amounts of food waste through the disposal, fats, oils, and grease.

The Town reserves the right to charge for remediation necessitated by foreign material in the sewer system.

g. If you are experiencing a sewer or water service problem Monday thru Friday 8am-5pm please call Town Hall at 406-859-3821 or the Town Shop at 406-859-3455. For emergencies outside of those hours, please call the Sheriff's Department dispatch at 406-859-3251 and state that you are reporting a sewer emergency or a water line leak. Backed up sewer lines, waterline breaks, sewer odors and overflowing manholes are considered an emergency.

h. Non-emergency main connections (as determined by the Director of Public Works) will not be made outside of the May 1 to September 30 timeframe or as weather and work scheduling permits.

i. For all new construction, the Town recommends that the customer install all new service lines. Any connection to pre-existing service lines is at the customer's risk.

IV. Water and Sewer Rates & Billing

1. The base rate for water service is \$44.50 per month. (Resolution 2015-3)

2. The water usage rate is \$1.50 per 1000 gallons metered.

3. The base rate for sewer service is \$55 per month. (Resolution 2015-3)

4. The sewer usage rate is \$1.50 per 1000 gallons and shall be billed based on the average water usage metered for the preceding November, December, January, and February.

5. Charges for water or sewer shall be charged against the landowner of the premises and shall constitute a lien against the premises for which said services were supplied. The landowner is ultimately responsible for all water and sewer charges, even if the property is vacant or is occupied by a tenant.

6. Water/sewer charges shall be billed monthly for the previous month's usage.

7. Delinquent water bills shall accrue interest at the rate of 5/6 of 1% per month from and after the delinquency until paid.

8. The town may exercise any legal remedy available to it to collect unpaid water/sewer bills, including but not limited to adding delinquent bills to the property tax assessments (MCA 7-13-

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4309), placing a lien on the property (Philipsburg Ordinance 10-1-1), shutting off water service, legal action, or other legal remedy. All costs incurred by the Town in pursuing collection of delinquent accounts, in addition to a reasonable collection fee, shall be the responsibility of the landowner of the premises. A \$75 fee is hereby authorized to be added to the water/sewer bill each time a notice is placed on the premises of a delinquent account.

9. Regarding new construction, the Town cannot guarantee water pressure or capacity in any given sewer main. It is the responsibility of the property owner to obtain necessary engineering or professional services to ensure adequacy of those services prior to construction.