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ADMINISTRATIVE ORDER 43

Under the authority granted to the City by MCA 69-7-201, and under the authority granted to the City Administrator by BMCC 26-101, the Rules and Regulations Governing Water and Wastewater Service for Billings, Montana, are hereby amended as follows:

Sections 16-2, 16-3, and 16-4 are hereby modified to incorporate the changes in the water rate structure adopted by the City Council under Resolution 96-17094, dated May 13, 1996. Such changes include consolidating the Zone Rates for the Outside-City classification into a single classification as well as discontinuing the allowance of 200 cubic feet of water in the minimum charge for all classifications of customers. The specific changes to these sections are attached and are hereby made a part of this Administrative Order.

The amendments adopted herein shall take effect 6 August, 1996.

Dated this 6th day of August, 1996.

Mark Watson
Mark Watson, City Administrator

CHAPTER 16 - RATES, CHARGES, AND FEES

16-1. GENERAL

All rates, charges, and fees for municipal water/wastewater service shall be adopted by the city council by resolution in accordance with the provisions of Resolution 13585, or as such may be lawfully changed from time to time. In addition, MCA 69-7-201 provides that rate increases adopted by the city council for comparable classifications and zones outside the municipal boundaries may not exceed those set within the municipal limits. Further, in accordance with the provisions of MCA 7-13-4305, no person shall be permitted to use or enjoy the benefit of the municipal water/wastewater system unless they pay the full and established rate for said service.

16-2. MONTHLY METERED WATER CHARGES

Any monthly metered water charges adopted by the city council, or as such may be lawfully changed from time to time, shall apply to all customers that have either direct or indirect water service connections with the municipal water supply system. Further, such customers may be located either inside or outside the corporate city limits, but they shall be situated within the water service area.

The monthly metered water charges shall be subdivided into ~~three~~ two classifications. One classification shall be designated as "inside city" ~~and the another~~ designated as "outside city." ~~and the last designated as "Billings Heights."~~

The "inside city" classification shall include all customers that are situated within the water service area and that are situated within the corporate city limits. The "outside city" classification shall include all customers that are situated within the water service area and that are situated outside the corporate city limits or within ~~The "Billings Heights" classification shall consist of a single contract customer, which is a county water district known as the Yellowstone County Water District of Billings Heights.~~

The "inside city" classification shall be further subdivided into two subclassifications, which shall be designated as ~~"parks"~~ "Seasonal/Temporary" and "all other." The ~~"parks"~~ "Seasonal/Temporary" subclassification shall include all inside-city customers that qualify as public parks as well as all customers served by sprinkling meters and fire hydrant meters. The "all other" subclassification shall include all inside-city

customers that do not qualify as ~~public parks~~. "Seasonal/Temporary."

The "outside city" classification shall be further subdivided into ~~five~~ two subclassifications, which shall be designated as ~~"Zone 1," "Zone 2," "Zone 3," "Zone 4," and "Zone 5."~~ "Resale" and "All Other." The ~~"Zone 1" through "Zone 5"~~ "Resale" subclassifications shall include all ~~outside city~~ customers that are situated within the ~~water pressure zones 1 through 5, respectively, of the utility.~~ Yellowstone County Water District of Billings Heights. The "All Other" subclassification shall include all "Outside-City" customers that do not qualify as "Resale" customers.

The monthly metered water charge shall be based upon the volume of water, in 100 cubic feet, which is registered monthly on the municipal water meter serving a customer. Monthly metered water charges are due and payable as set forth in Section 14-2.

16-3. MINIMUM MONTHLY WATER CHARGES

Any minimum monthly water charges adopted by the city council, or as such may be lawfully changed from time to time, shall apply to all customers that have either direct or indirect water service connections with the municipal water supply system. Further, such customers may be situated either inside or outside the corporate city limits, but shall be situated within the water service area. Such charges shall be subdivided into the same classification as are set forth in Section 16-2 for metered water charges. The minimum monthly charges shall be based on the size of municipal water meter used to serve a customer. ~~and shall include an allowance of 200 cubic feet of water for each size of meter so used.~~ Minimum monthly water charges are due and payable as set forth in Section 14-2.

16-4. PUBLIC AND PRIVATE FIRE PROTECTION CHARGES

Any public and private fire protection charges adopted by the city council, or as such may be lawfully changed from time to time, shall apply to all customers that have either direct or indirect fireline/fire hydrant connections with the municipal water supply system. Further, such customers may be situated either inside or outside the corporate city limits, but they shall be situated within the water service area.

The public and private fire protection charges shall be subdivided into two classifications, which shall be designated as "inside city" and "outside city." The "inside city" classification shall include all fire

protection customers that are situated within the water service area and that are situated within the corporate city limits. The "outside city" classification shall include all fire protection customers that are situated within the water service area and that are situated outside the corporate city limits.

~~The "outside city" classification shall be further subdivided into five subclassifications, which shall be designated as "Zone 1," "Zone 2," "Zone 3," "Zone 4," and "Zone 5." The "Zone 1" through "Zone 5" subclassifications shall include all outside city, fire protection customers that are situated within the water pressure zones 1 through 5, respectively, of the municipal water utility.~~

Public fire hydrants shall include those hydrants owned by the utility and rented to the city for use by the municipal fire department. Public fire hydrant charges shall, in addition to direct fire hydrant related expenses, provide for the maintenance and replacement of any general benefit facilities that are utilized to deliver water for fire protection purposes. Private fire hydrants and firelines shall include those owned by the customer. Private fire hydrant and fireline charges shall provide only for water service and do not provide for maintenance and replacement of firelines, fire hydrants, and fire hydrant branches.

The public and private fire protection charges shall be based upon the size of fireline or fire hydrant branch involved. The use of water delivered by the utility to unmetered firelines and fire hydrant branches shall be limited to fire fighting only. Public and private fire protection charges are due and payable as set forth in Section 14-2.

16-5. CHARGE FOR REESTABLISHMENT OF WATER/WASTEWATER SERVICE

Any charge for reestablishment of water/wastewater service adopted by the city council, or as such may be lawfully changed from time to time, shall apply to any customer that has had the water/wastewater service to his/her property discontinued for failure to pay municipal water/wastewater charges or for failure to comply with the rules and regulations set forth herein. The charge for reestablishment of water/wastewater service shall be subdivided into two classifications, which are "normal working hours" and "outside normal working hours." Once the water/wastewater service to a customer has been discontinued, such service shall not be restored until the customer involved is in full compliance with these rules and regulations and has paid to the utility the applicable charge for reestablishment of municipal water/waste-