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ADMINISTRATIVE ORDER # 55

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:

1. Section 2-1(30), General Benefit Facilities, is amended to read:

"General Benefit Facilities" means municipal water/wastewater system facilities ~~that which~~ benefit all or a large number of utility customers ~~and/or that provide service to large areas, which may include, including~~ but is not limited to, such type of facilities as water/wastewater treatment facilities, public water ~~transmission~~ mains having diameters greater than 18 inches, public ~~trunk and interceptor~~ sanitary sewers having diameters greater than 24 inches, water storage reservoirs, and water ~~and wastewater~~ booster pumping stations ~~serving large areas, and wastewater stations serving large areas.~~

2. A new subsection is hereby added to Section 2-2, Abbreviations, as follows:

- (5) DEQ: Montana Department of Environmental Quality.
- (56) COD: Chemical Oxygen Demand.
- (67) MCA: Montana Code Annotated.
- (78) mg/l: Milligrams per Liter.
- (89) MPDES: Montana Pollutant Discharge Elimination System.
- (910) SIC: Standard Industrial Classification.
- (1011) U.S.C.: United States Code.
- (1112) TSS: Total Suspended Solids.
- (1213) WWS: Wastewater System.
- (1314) WWTP: Wastewater Treatment Plant.

3. Section 4-13, Miscellaneous Devices, is amended to read:

The ~~municipal water/wastewater utility~~ public utilities director

may require a customer to install, as a condition of continued water/wastewater service and at the customer's expense, an approved backflow prevention device, an approved expansion tank, an approved pressure reducing device, an approved pumping device, or any other similar type device that the utility director deems necessary to protect ~~its the facilities of the~~ municipal water/wastewater ~~facilities utility~~, its service products, or ~~the facilities of its~~ customer's/user's-facilities. The customer shall be responsible for the testing, operation and maintenance of all such devices. The utility director may require the customer to submit ~~semi-annual~~ periodic test results on such devices certifying that the devices have been checked by an authorized service representative and are in good working order. In the case of backflow prevention assemblies, however, the director may require that only certified backflow prevention assembly testers are allowed to perform such tests and that all such tests be performed prior to permanent use of the assembly as well as periodically thereafter. The frequency of performing all tests required herein shall be determined by the director.

4. Section 6-7, Discontinuance of Service By Customer, is amended to read:

Once municipal water/wastewater service is initiated, a customer shall be responsible for payment to the utility for any water/wastewater service provided, including any minimum charges due, until such time as the customer requests the discontinuance of said service: and a final bill. The final bill shall be due and payable upon receipt by the customer, and if not paid within 30 days of mailing, utility may initiate collection procedures. Delinquent final bills shall be subject to the late-payment interest charge set forth in Section 16-14. A customer shall, under normal circumstances, contact the utility at least 24 hours in advance of the need to discontinue the customer's/user' municipal water/wastewater service, Saturdays, Sundays and holidays excluded.

5. Section 16-7, Minimum Monthly Wastewater Charges, is amended to read:

Any minimum monthly wastewater charges adopted by the city council or as such may be lawfully changed from time to time, shall apply to all users that have building sewers connected with the municipal wastewater system. Further, such users may be situated either inside or outside the corporate city limits, but shall be situated within the wastewater system service area. Such charges shall be subdivided into the same classifications as are set forth in Section 16-6 for monthly volume wastewater charges. ~~The minimum monthly wastewater charges shall include an allowance of 200 cubic~~

~~feet for each meter so used.~~ Minimum monthly wastewater charges are due and payable as set forth in Section 14-2.

6. Section 16-15, Water Service Line Repair Program Fee, a new section, is added as follows:

The fee for the Water Service Line Repair Program, which may be changed from time to time by the City Council, shall be added to the water service charge of all active, inside-city, metered water accounts. The fee shall not be charged to fireline accounts, temporary accounts, inactive accounts, and all outside-city accounts. The purpose of the fee is to fund the City's Water Service Line Repair Program. This program minimizes damage to public and private property by providing for the timely and cost-effective repair of that portion of the customer-owned water service line located between the public water main and the customer's property line, including the curb valve and curb box. Customers with delinquent accounts, however, shall not qualify for water service line repairs under the program while their accounts are in arrears. The provisions set forth in Chapter 14 regarding billing periods, bills due, combined charges, delinquencies, and so on shall apply to the Water Service Line Repair Program Fee. All monies collected on account of this fee shall be deposited as required under the adoption resolution for the program.

7. Section 18-3, Utilities Responsibility, is amended to read:

(3) Inspect and test all municipal water meters prior to installation on water service lines to ensure that such meters meet or exceed the standards of the American Water Works Association for such type meters, except that in the case of new meters, utility may, at its discretion, rely upon the manufacturer's certified test results in lieu of testing the new meters itself;

(4) Replace all 5/8-inch through 1 1/2-inch municipal water meters at intervals not to exceed ~~20~~ 25 years;

8. Section 18-5, Inside Metering Facilities, is amended to read:

(1) The municipal water meter and backflow prevention device shall be installed in a horizontal position, or as otherwise directed by utility, not over 2 feet above the floor, and shall be located as close as possible to the point where the water service line enters the building;

9. Section 18-6, Outside Metering Facilities, is amended to read:

(4) The municipal water meter and backflow prevention device shall be installed within the meter/box vault in a horizontal position, or

as otherwise directed by utility, not over 2 feet above the floor;

10. Section 22-1, Discharging Certain Matter into Sewers Prohibited, a new subsection, is added as follows:

(13) Any wastes from vehicle washing facilities, recreational vehicle (RV) dumps, or any wastes from floor drains located inside buildings utilized to maintain, repair or house vehicles or other motorized equipment.

11. Section 22-8, Wastewater Testing And Analyses, is amended to read:

All measurements, tests and analyses of the characteristics of the waters and wastes to which reference is made in Sections 22-1 and 22-4 shall be determined in accordance with 40 CFR Part ~~B6~~ 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, unless specified otherwise, and shall be determined at the control manhole provided for in Section 22-7 or upon suitable samples taken at such control manhole.

12. Section 34-8, Installation, Ownership, and Maintenance, is amended to read:

Water service lines, firelines, or combinations thereof, are owned by the owner of the property served. Said owners shall keep their water service lines, firelines, or combinations thereof, in good repair and condition at all times and, in addition to any other penalties, if not repaired within 10 days after receipt of notice by the public utilities department to do so, water service to the property involved may be discontinued. Except as otherwise provided herein ~~this ordinance~~, all costs and expenses incidental to the installation of water service lines, firelines, or combinations thereof, or making connection of same with the public water mains, or making repairs alterations, or extensions to such facilities, shall be borne by the owners of said facilities.

However, the public utilities department shall be responsible for the repair of that portion of the customer-owned water service line, including curb valve and curb box, that qualifies under the City's Water Service Line Repair Program, and the cost of making such repairs shall be charged to the City's Water Service Line Repair Fund. See Sections 16-15 and 34-29 for additional information regarding the City's Water Service Line Repair Program.)

Water service lines, firelines, or combinations thereof, are non-transferable and shall run with the property originally served by

said facilities.

13. Section 34-12, Arrangement and Location, is amended to read:

The public utilities director may allow two adjoining lots to be served by a single water service line provided the common portion of the water service line is located entirely within the public right-of-way on an extension of the common property line and provided that separate curb valves and boxes are installed on each water service line at the point of bifurcation. Except as provided herein, a separate and independent water service line shall be provided for each individual building or living unit under separate ownership....

14. Section 34-15, Minimum Diameter, is amended to read:

The minimum diameter of water service lines to be installed to serve any property shall be 3/4 inch and the minimum diameter of firelines shall be 1-1/4 inch. ~~However,~~ in new subdivision extensions, or where otherwise directed by the utility, ~~however,~~ the minimum diameter for water service lines serving single buildings shall be one inch and the minimum diameter for water service lines serving two buildings on adjoining lots shall be 1 1/2 inch....

15. Section 34-24, Protective Devices, is amended to read:

When it is deemed by the public utilities director that such protective devices are necessary to protect another customer's facilities and/or the municipal water supply system, the public utilities director may require a customer to install, as a condition of continued water service and at the customer's expense, an approved expansion tank, pressure reducing valve, backflow prevention device, pressure relief valve, or any other similar device on customer's water ~~water~~ service line at a location designated by the public utilities director. Customers shall be responsible for keeping such protective devices in good repair and effective operating condition at all times, and failure to do so shall be just cause to discontinue water service to the property involved.

The public utilities director may also require that any required backflow prevention assemblies be tested at the customer's expense by a certified backflow assembly tester prior to placing the assembly into permanent service and periodically thereafter, with copies of all test results provided to the director within 10 days after conducting the tests.

16. Section 34-26, Plumbing Code, is amended to read:

Except as otherwise provided herein, applicable provisions of ~~Article 6-500, Plumbing Code, BMCC, as amended the Uniform Plumbing Code~~ shall govern the installation on private property of that portion of the water service line, fireline, or combination thereof installed between the curb stop and the customer's plumbing system.

17. Section 34-28, Flushing, Disinfecting and Testing, a new section, is added as follows:

When required by the public utilities director, installed or repaired water service lines, or any part thereof, shall be properly flushed, pressure tested for leakage, disinfected with chlorine, and tested by a DEQ-certified laboratory for bacteria prior to use and/or setting the municipal water meter.

18. Section 34-29, Water Service Line Repair Program, a new section, is hereby added as follows:

The City has adopted a Water Service Line Repair Program. All active, inside-city, metered water customers shall be members of this program. Under this program, the Public Utilities Department will repair that portion of a member's water service line located between the public water main and the member's property line, including the curb valve and curb box. The cost of such repair will be charged to the City's Water Service Line Repair Program Fund. The Public Utilities Department will also restore any damage to public property and public right-of-way associated with such repair and charge such restoration to said fund. (See Sections 16-15 and 34-8 for additional information regarding the City's Water Service Line Repair Program.)

19. Section 36-23, Plumbing Code, is amended to read:

Except as otherwise provided herein ~~this ordinance~~, applicable provisions of ~~Article 6-500, Plumbing Codes, BMCC, as amended, the Uniform Plumbing Code~~ shall govern the installation on private property of that section of the building sewer installed between the building drain and the wastewater service line.

The amendments adopted herein shall take effect December 31, 1998.

Dated this 11th day of December, 1998.

Mark S. Watson
Mark Watson, City Administrator

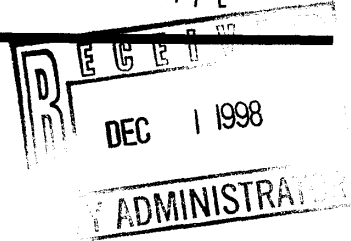


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MEMORANDUM

TO: Bill McGill, Ass't City Administrator
FROM: Gerald D. Underwood, P.E., Utilities Director *GD*
DATE: November 30, 1998
SUBJECT: Proposed Administrative Order



Attached is a proposed Administrative Order (AO) that we would like Mark to approve and sign.

Please review it and provide us with your comments. If, perchance, you don't have any comments, would you please have Mark sign the proposed AO and provide us with an executed copy.

Our comments concerning each item in the proposed AO is as follows:

Item 1: This amendment involves a few changes to the definition of "General Benefit Facilities." The changes will provide us with greater flexibility in determining which facilities qualify for SDF funding. The current definition is too restrictive due to the size limitations. There are no current projects that will be impacted by these changes that we are aware of. The changes will only affect future projects.

Item 2: This amendment adds the abbreviation "DEQ" to the definitions.

Items 3 & 15: These amendments clean up the language in these two sections and require that any required backflow prevention assemblies be periodically tested by a certified backflow prevention assembly tester. These amendments are in concert with the new UPC (1997) being adopted by the City Council on December 14, 1998. We currently have on board several certified backflow prevention assembly testers and can handle this work if there are no certified testers elsewhere.

Item 4: This amendment sets up the procedure for collecting final bills and mirrors what we are already doing. Generally, we don't initiate collection procedures within the 30-day period, but we do if we think that the customer has a poor payment record and is about to skip town, etc. w/o paying his final bill.

Item 5: This amendment drops the 200 cubic feet allowance in the minimum wastewater bill. This was authorized by the City Council when they adopted our last wastewater rate increase in March of 1997.

Billings Pride
City-wide

Items 6, 12, 13, 14 & 18: These amendments implement our new Water Service Line Repair Program, which was recently adopted by the City Council.

Item 7: This amendment changes the small meter change-out period from 20 to 25 years. Tests on replaced meters indicate that such a change is warranted in that most of the small meters maintain their accuracy over 25 years. This amendment also allows us to use the manufacturer's certified accuracy tests for new meters rather than retesting all new meters in our shop for this purpose.

Items 8 & 9: These amendments allow us to install meter horns vertically as well as horizontally, which the new horns now permit.

Item 10: This amendment incorporates into our rules our pretreatment programs that regulate vehicle washing facilities, RV dumps, etc. These programs have been in place for over a year now and are working well.

Item 11: This amendment corrects a typing error.

Item 16, 17 & 19: These amendments incorporate the newly adopted UPC into our rules and include some items that we still need but have been dropped from the plumbing code, such as the flushing, disinfection and testing of new/repairs water service lines.

Bill, as you can see, most of the above amendments are house-keeping items. I'm not aware that any of the above items are controversial or will be contested by anyone.

cc: file