

Repealed By

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ADMINISTRATIVE ORDER 37

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: Pages 19, 23, 24, and 30, attached herewith, are adopted. These pages have been modified to provide that only property owners may establish accounts with the Billings municipal water and wastewater utilities.

The amendments adopted herein shall take effect May 1, 1995.

Dated this 21 day of April, 1995.

  
Mark Watson, City Administrator

Amended By

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Repealed by City Council  
1/22/96

## **CHAPTER 6 - INITIATION AND DISCONTINUANCE OF SERVICE**

### **6-1. WRITTEN SERVICE APPLICATIONS REQUIRED**

A person requesting to establish an account for municipal water/wastewater service with the utility shall make written application for such service with the utility on forms furnished by the utility for this purpose. After approval by the utility, the application to establish an account for water/wastewater service shall constitute the service agreement or contract between the customer and the utility.

### **6-2. SERVICE APPLICATION PROVISIONS**

An application to establish an account for municipal water/wastewater service shall contain a provision wherein the applicant agrees to pay to the utility all charges for service provided by the utility to the applicant. In addition, it shall contain a provision wherein the applicant agrees to abide by all the city's regulations governing municipal water/wastewater service, including the rules and regulations contained herein.

### **6-3. SERVICE APPLICANTS**

A person requesting to establish an account for municipal water/wastewater service shall be the owner of the property to be served. In addition, the service application shall include the name and mailing address of the owner of the property involved if such address is different than the service address. It shall be the responsibility of the property owner to maintain on file with the utility the owner's current mailing address.

### **6-4. INFORMATION TO BE PROVIDED**

A person requesting to establish an account for municipal water/wastewater service shall, upon request by the utility, furnish proper identification, information regarding the service address, and documentation of ownership of the property to be served. In the event this information, or any other information required to be submitted under these rules and regulations, is not furnished, service to the applicant or service address involved shall be denied or discontinued until such information is provided. In addition, prior to restoring any service, the applicant must first pay to utility any applicable charges for discontinuance and reestablishment of service.

## **CHAPTER 8 - TURN ON AND TURN OFF OF SERVICE**

### **8-1. GENERAL**

The utility shall not turn the water on at the curb valve to any property until such time as the owner has established a municipal water/waste-water account with the utility as required under Section 6-1 and, in addition, has paid to the utility a turn-on fee, if applicable.

### **8-2. OPERATION OF CURB VALVES**

Only authorized representatives of the utility shall turn water on or off at a customer's curb valve. Utility will not turn the water on at a customer's curb valve unless the customer or an authorized agent thereof is at the customer's premise at that time to check for open faucets and/or leaking fixtures and plumbing.

### **8-3. INSPECTION OF METER AND APPURTENANCES REQUIRED**

At the time the water is turned on, a representative of the utility shall inspect the municipal water meter in question for evidence of tampering/bypassing and to ensure that it is sealed properly. At that same time, the utility representative shall check the customer's plumbing for cross connections and, when appropriate, check to ensure that the check valve in the meter horn is properly working.

### **8-4. TURN-OFF FOR NONPAYMENT AND/OR NONCOMPLIANCE**

The utility normally shall not turn the water off on the day preceding a non-working day for nonpayment of charges for municipal water/waste-water service or for noncompliance with these rules and regulations. However, the utility may do so in those cases set forth in Section 6-8 (1).

### **8-5. TURN-ON AND TURN-OFF LIABILITY DISCLAIMER**

The utility shall not be liable for any damage to persons or property that may result from the turning on or turning off of the water to a customer's premise as provided for in these rules and regulations or from the water being left on when the premise may be unoccupied.

#### **8-6. LANDLORD AGREEMENT**

The owner of rental property may enter into a landlord agreement with the utility wherein the landlord agrees to be responsible for the payment of the charges for municipal water/wastewater service to be provided to a landlord's property in between tenants and wherein the utility agrees to provide municipal water/wastewater service in the landlord's name at that particular address. Only landlord's having on file with the utility an application for establishment of a municipal water/wastewater account as required under Section 6-1 shall qualify for entering into such a landlord agreement with the utility. Further, the landlord shall pay to the utility a turn-on fee at the time such agreement is first entered into with the utility. Thereafter, the landlord shall not be required to pay said fee when tenants vacate the property in question. **Section 8-6 shall apply only to landlord agreements entered into and accepted by utility prior to May 1, 1995. On and after May 1, 1995, only property owners may establish utility accounts (See Section 6-3, as amended).**

municipal wastewater system but which do not receive municipal water service shall be made on the same forms and at the same times as are combined water and wastewater bills. Payment of bills issued for only municipal wastewater service shall normally be handled as set forth under Sections 14-1 and 14-2. However, in the event of non-payment of such bills, the public utilities director may order the waste-water sewer service line serving the property involved to be cut and plugged. Service shall not be restored until the total amount of the outstanding wastewater bill is paid plus all the expenses incurred by the utility in disconnecting and restoring service and the customer restores any required deposits. The procedures set forth under MCA 7-13-4309, which inserts the payment as a tax against the property involved and permits the bringing of a suit, may also be used to collect payment of delinquent municipal wastewater charges in this instance. Whenever an account for municipal wastewater service is established by a domestic customer with no prior history of water consumption, the Public Utilities Director will estimate water consumption based upon an average city use for billing purposes until a sufficient history of use is established to the public utilities director's satisfaction.

#### **14-6. REFUSAL OF SERVICE**

The utility may refuse service to any delinquent customer or to other members of the delinquent customer's household or firm when the request by such person for service may be a means for evading payment of unpaid municipal water and wastewater charges.

#### **14-7. MULTIPLE OWNERS**

Where municipal water/wastewater service is provided through a single meter to property having multiple owners, the utility will not apportion the charges for the use of water and wastewater service among the various owners. The bill for such service shall be charged against the person in whose name the account stands. However, if the one in whose name the account stands fails, refuses, or is unable to pay such bill, the remaining owners shall be responsible for the unpaid municipal water/wastewater charges. Such unpaid bills may be cause for discontinuing service to the property involved until the total amount due is paid plus payment of any applicable charges for discontinuance and/or reestablishment of service and any required deposits are restored.



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**M E M O R A N D U M**

**TO:** Mark Watson, City Administrator  
**FROM:** Gerald D. Underwood, P.E., Utilities Director *GU*  
**DATE:** April 7, 1995  
**SUBJECT:** ADMINISTRATIVE ORDER ADOPTING RULE CHANGES

Attached for your approval is an Administrative Order adopting amendments to our Water and Wastewater Rules and Regulations. The amendments provide that only property owners may establish water/wastewater utility accounts, on and after May 1, 1995.

cc: C. Christensen  
file