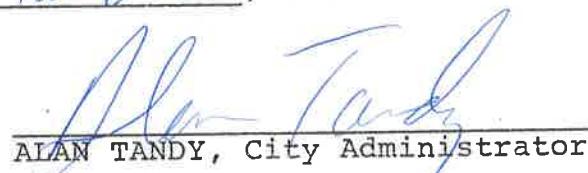


Repealed By
29 & 30

ADMINISTRATIVE ORDER NO. 18

Pursuant to BMCC Section 26-101, the RULES AND REGULATIONS GOVERNING WATER AND WASTEWATER SERVICE, conditionally adopted by Administrative Order No. 13 on June 23, 1987, are hereby amended as set forth in the attached amendments.

DATED this 21st day of March, 1988.


ALAN TANDY, City Administrator

AMENDMENTS TO RULES & REGULATIONS
GOVERNING WATER AND WASTEWATER SERVICE

Section 2-1(71) is amended to read as follows:

"(71) "Secondary Wastewater Meter" or "Secondary Meter" means a meter which is furnished, installed and maintained by a user, and which is used to measure determine the amount of wastewater contributed by such user to the municipal wastewater system."

Section 4-5 is amended to read as follows:

"4-5. NONCOMPLIANCE

Any person who shall fail to comply with these rules and regulations after being given a written notice of the nature of the violation, and after being given a reasonable time to comply, shall be subject to discontinuance of municipal water/wastewater service. Provided, that in emergency situations, as determined in the sole discretion of the utility, such service may be discontinued without notice. Municipal water/wastewater service shall not be restored until the violation is corrected and full compliance is assured. Further, once service has been discontinued for noncompliance with these rules and regulations, it shall not be restored until the customer involved pays to the utility any applicable charges for discontinuance and/or reestablishment of service and restores any required deposits. In addition, persons failing to obey promulgated rules and regulations shall be subject to punishment and penalties as provided for under BMCC 1-110 and BMCC 1-111."

Section 6-3 is amended to read as follows:

"6-3. SERVICE APPLICANTS

A person requesting to establish an account for municipal water service or for municipal water/wastewater water and wastewater service may be either an owner of the property to be served or a tenant. However, an account for just municipal wastewater service can only be established by the owner of the property to be served. In any event, the service application shall include the name and mailing address of the owner of the property involved. It shall be the responsibility of the applicant to maintain on file with the utility the name and address of the current owner of the property being served."

Section 14-2 is amended to read as follows:

"14-2. BILLS DUE

All charges for municipal water/wastewater service, including fireline charges, shall become due and payable when rendered. Bills shall become delinquent thirty (30) days from the date of billing if not paid. If the bill is not paid within forty (40) days after it becomes delinquent, the water/wastewater service to the premise involved shall be discontinued after proper notice. Service shall not be resumed until payment of all outstanding bills for municipal water/wastewater service have been made, and the customer involved has paid to the utility the applicable charges for discontinuance and/or reestablishment of service and the customer restores any required deposits."

Section 14-5 is amended to read as follows:

"14-5. BILLS FOR WASTEWATER SERVICES ONLY

Bills issued for municipal wastewater service to users connected to the 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, herein. However, in the event of non-payment of such bills, the public utilities director may order the wastewater 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."

Section 14-7 is amended to read as follows:

"14-7. MULTIPLE OWNERS/OCCUPANTS

Where municipal water/wastewater service is provided through a single meter to property having multiple owners or multiple occupants, the utility will not apportion the charges for the use of water and wastewater service among the various owners or occupants. 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 or occupants 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."

Section 14-8 is amended to read as follows:

"14-8. PAYMENT TRANSFERS

Where a customer is liable to the utility for municipal water/wastewater service at one address and is thereafter located at some other address, any amounts due for service furnished at any previous location may be transferred to the customer's account at the customer's current location. Water service may be discontinued at the customer's current location until all outstanding accounts are paid in full plus payment of any applicable charges for discontinuance and/or reestablishment of service and any required deposits are restored."

Section 18-2 is amended to read as follows:

"18-2. METERS FOR NONUSERS OF MUNICIPAL WATER SUPPLY SYSTEM

Meters or other approved means for gauging or metering water used ~~on-premises~~ by commercial accounts not connected with the municipal water supply system shall be installed at the expense of the owner of such premises property prior to initiating municipal wastewater service to the said property involved. Such meters shall be of a size, type and make and set at such a place as shall be designated by the public utilities director. Property owners at their expense shall keep their meters in good repair and shall have such meters tested for accuracy prior to initial installation and at least every five years thereafter or as often as may be directed by the public utilities director. Such meters shall meet or exceed the standards of the American Water Works Association (AWWA) for such type meters.

Until such time as it is deemed practical by the Public Utilities Director to install meters for gauging or metering water used by domestic accounts not connected with the municipal water supply system, utility may, for billing purposes, use an estimated monthly water consumption equivalent to twice the average monthly water use of its domestic customers during the months of December, January, February, and March."

Section 34-18 is amended to read as follows:

"34-18. CURB VALVE

A separate and easily accessible curb valve and cast iron curb box meeting the requirements of the public utilities director shall be installed at or near the property line on each

water service line, fireline, or combination thereof, at the expense of the customer requesting such water service line, fireline or combination thereof. The specific location and arrangement of the curb valve and curb box on the water service line, fireline, or combination thereof, shall be as designated and approved by the public utilities director. Customers shall keep their curb valves and curb boxes in good repair and condition at all times, and failure to do so shall be just cause to discontinue water service to the property involved. as provided for under Section 6-8, herein. Furthermore, if the customer fails to repair the curb valve or curb box after being given thirty (30) days written notice of its disrepair, utility may repair the curb valve and curb boxes at the customer's expense."



CITY OF BILLINGS
PUBLIC UTILITIES DEPARTMENT

P.O. BOX 30958
BILLINGS, MT 59111
PHONE (406) 657-8305

March 14, 1988

M E M O R A N D U M

TO: Mr. Alan Tandy, City Administrator
FROM: Gerald D. Underwood, PE, Utilities Director *YAM*
SUBJECT: AMENDMENTS TO WATER AND WASTEWATER SERVICE REGULATIONS

Attached for your approval is a proposed Administrative Order, which, when approved, will adopt various amendments to our Rules and Regulations Governing Water and Wastewater Service.

The amendments were drafted by Mr. Paul Luwe and were recently reviewed and approved by Mr. Fred Alley.

The amendments:

1. Change the definition of "secondary wastewater meter" to one that is used to "determine" rather than "measure" the amount of contributed wastewater. In most cases, these meters measure potable water use, not wastewater contributed. Thus, in this instance, "determine" is a more appropriate term than "measure."
2. Provide for the restoration of deposits by customers as authorized by recent state statute amendments.
3. Provide that only the property owner may establish a wastewater account with the department when city water service is not also provided to the property in question. Since we cannot discontinue water service for nonpayment, this allows us to assess the wastewater payment as a tax against the property.
4. Provide a means for estimating water usage for wastewater billing purposes in the event a customer has no prior usage record with the department.
5. Provide a means for metering commercial accounts and estimating domestic accounts when such are not connected with the municipal water system.
6. Authorizes the department to repair curb valves and curb boxes at the customer's expense in the event the customer fails to do so after 30-days notice.

Please call me if you have questions or need additional information concerning the amendments.

cc: Paul Luwe
Fred Alley
File



CITY OF BILLINGS
CITY ATTORNEY'S OFFICE
P.O. BOX 1178
BILLINGS, MONTANA 59103
(406) 657-8205

RECEIVED

FEB 8 1988

BILLINGS WATER &
WASTEWATER DEPTS.

MEMORANDUM

TO: Gerald Underwood, Public Utilities Director
FROM: Paul J. Luwe, Staff Attorney *PJL*
DATE: February 5, 1988
RE: Amendments to Water/Wastewater Service Regulations

Please find attached the proposed amendments with recent changes to the water/wastewater service regulations. If you have any questions, please contact me.

PJL/ssw
Attachment
cc: James L. Tillotson, City Attorney