

ORDINANCE NO. 73

AN ORDINANCE TO AMEND TITLE 4 OF THE TOWN CODE OF ENNIS:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ENNIS, MONTANA:

CHAPTER 4.02

SEWER AND WATER

4.02.010 Sewer Charges to be Assessed to Owner:.....unchanged.....
.....Accounts which are sixty (60) days past due will become a
lien on the real property and filed with the County recorder.

4.02.020 Property Owners to Designate Receiver of Statement: Unchanged

4.02.030 Designee to be Deemed Agent: Unchanged

4.02.040 Liability of Real Property Owner: Unchanged

CHAPTER 4.04

4.04.010 Supervision: Unchanged

4.04.020 Definition of Building or House Sewer: Unchanged

4.04.030 Specific Requirements:

A thru D Unchanged

E. Prior to issuing a permit to connect into the sewer and water lines a bond of either a cash deposit or other negotiable instrument shall be furnished to the Town of Ennis prior to authorization for opening the street, to replace the street back to the condition prior to its opening. The amount of bond to be posted with the Town will be \$75.00 for gravel or dirt street and \$150.00 for asphalt streets. The streets shall be repaired as soon as possible, weather permitting. The bond maybe held one (1) year or until the street repairs meet the satisfaction of the Town.

4.04.040 Specifications:

A thru F unchanged

G. Any businesses which have a large amounts of grease, lubricants, flammable fluids, such as but not limited to, gas stations, repair shops, restaurants must install and keep in effective continual operation a grease trap in which the town has the right to inspect during normal business hours.

4.04.050 Inspection: Unchanged

4.04.060 Permit Fee: At the time of application for a permit to connect to the municipal sewer the applicant will pay to the ~~Sewer-Inspector-~~ Town Clerk the sum of twenty-five (\$25.00) as a fee for inspection. ~~provided-that-such-sewer-inspection-fee-shall-not-be-chargeable-until-six-(6)-months-following-completion-of-construction-of-the-collection-,-outfall-and-lagoon-system.~~

4.04.070 Enforcement: Any person, firm, corporation or individual doing any acts in violation of this chapter shall, upon conviction thereof be punishable by a fine of not less than ~~ten-dollars-(\$10.00)~~ one hundred dollars (\$100.00) nor more than ~~fifty-dollars-(\$50.00)~~ five hundred dollars (\$500.00) provided that prosecution for violations of this chapter shall not limit the right of the Town to require compliance with the terms of this chapter by appropriate injunctive or other relief in equity or in law.

4.10.050 Meters:

A. Meters are the property of the Town property owner. Meters will be assigned ~~by the Water Commissioner and will be installed under his supervision and inspection~~ be purchased from the Town at cost.

B thru E Unchanged

F. Any person caught tampering with their water meter to alter the meter reading or disconnecting their meter shall be consider a misdemeanor. For the first offense the fine will be \$50.00, the second offense shall be \$100.00 and \$500.00 for the third offense and each time thereafter.

G. The Town has the right to estimate the water usage, if a meter is found faulty or if the meter has been altered.

H. It shall be the property owners or resident of the property to read their own meter each month and report the reading to the Town Clerk unless the building has a remote accessible to the meter reader than the Town will read the meter. The Town will read the meter for business establishments. If a person fails to read their meter and report it to the Town, the Town reserves the right to estimate the meter reading.

4.10.060 Payments and Other Charges:

A. Water bills will be due on the ~~first~~ tenth of the month.

B. Water ~~will~~ maybe shut off at the end of sixty (60) days if the water charges are not paid. Seventy - two (72) hours written notice will be given the customer in addition to the sixty (60) days. Whenever service is disconnected under this rule, the Town will not be required to restore service until settlement has been made plus a charge of \$10.00 for shutting the water off and \$10.00 for turning the water back on.

4.10.070 Installation: Unchanged

4.10.080 Renters Water Deposits: Deleted

4.10.090 Turning Off Water by Request: After the payment of \$10.00 from property owners water maybe turned off on property that will be vacant and there will be no charge while the property is vacant. If the water is not turned off at the main, when the property is vacant, than the property owner will be charged the minimum rate. A charge of \$10.00 will be assessed to restore the service.

4.10.100 Fire Alarm: Unchanged

4.10.120 Reselling of Water Prohibited: Unchanged

4.10.130 Forfiet of Old Contract: Those who signed agreements to take and use the Town water during the years 1960 and 1961, when the water was made available in September of 1961 and failed to do so on or before September 17, 1962 have forfeited their contract rights and will be required to pay ~~one-hundred-dollars-(\$100.00)~~ thirty dollars (\$30.00) connection charge and the cost of the meter, when they do want the Town water connected.

4.10.140 Fees and Charges: Unchanged

4.10.150 Amendments or Changes by Commission: Unchanged

4.10.160 Charges for Use Exceeding the Minimum Amount: Unchanged

4.10.170 Turning Off Water for Violations: Unchanged

CHAPTER 4.06

SEWER RATES

4.06.010 General Commercial Use Rate. Unchanged

4.06.020 Limited Commercial Use Rate. Unchanged

4.06.030 Residential Use Rate.unchanged.....
An apartment building or other multiple family facility on the municipal water system with an authorized single water meter for the establishments and does not contain laundry facilities shall be considered a multiple family dwelling and shall be charged under a general or limited commercial rate. Multiple dwellings that do contain laundry facilities and has only one authorized meter shall be charged as separate residents.

4.06.040 Monthly Rate Defined: Unchanged

4.06.050 Initial Connection Time Charges. Unchanged

4.06.060. Suspension of Monthly Service Charge: Monthly service charges will be suspended during periods of complete non-use of the premises provided the user, occupant or owner notifies the Town Clerk-Treasurer for such suspension of use and provided that the municipal water has been turned off at the main and suspension will be effective on the day such notice is given or on the day non-use commences whichever is later. Charges will be re-instated on the day use re-commences.

4.07.060 Collection of Delinquent Accounts: Any accounts that are sixty (60) days past due become delinquent. The Town of Ennis may file legal action to collect any delinquent account or may file a lien on the property and have the past due amounts collected with the property owners first installment of taxes.

CHAPTER 4.08

SEWER CHARGES ON STRUCTURES WITH DISPOSAL REQUIREMENTS

4.08.010 All Structures to be Connected to Sewer System: Unchanged

4.08.020 Chargeable Sewer Rates: Unchanged

4.08.030 Charges for Use or Availability of use: Unchanged

4.08.040 Sewer Connection Fee: ~~No charge shall be made for sewer connection prior to July 1, 1968 but that~~ A twenty-five dollar (\$25.00) charge shall be made for connections ~~after said date~~ and ~~further~~ shall be made for all structures having sewer disposal requirements.

CHAPTER 4.10

Rules and Regulations of Water System

4.10.010 Town Water Lines Separate from Private Wells: Unchanged

4.10.020 Wells and Pumps for Outside Water Only: Present wells and pumps maybe retained for outside water only, lawns, gardens, etc., All water inside residences, business places, public institutions or for any commercial use must be town water.

A. Anytime real property is sold who is presently using a well for inside water use, the property must be connected onto the Town's Water System prior to sale.

B. No new wells maybe drilled within the incorporated limits of the Town except for irrigation purposes only.

4.10.030 Plumbing open to Inspection: Unchanged

4.10.040 Officials to have Access At All Times: Unchanged

4.10.180 Unlawful Turning on of Water: Any person, firm or corporation residing either inside or outside of the corporate limits of the Town which furnishes water as public utility, who shall willfully turn on the water after the same shall have been shut off by or under the direction of the Town for nonpayment of water charges or who shall unlawfully take water from such systems, or shall willfully open and use water from a fire hydrant without first getting consent from the Mayor or Water Commissioner shall be guilty of a misdemeanor, punishable by a fine of not less than ~~fifty-dollars-(\$50.00)~~ one hundred dollars (\$100.00) nor more than ~~three-hundred dollars (\$300.00)~~ five hundred dollars (\$500.00) or not more than ninety (90) days in jail or both such fine and imprisonment.

All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Passed and Adopted by the Town Council of the Town of Ennis this 11th day of November, 1982.


RANDY KIRTLEY, MAYOR

ATTEST: 
VICKI J. MANNING, TOWN CLERK

State of Montana)
) ss:
County of Madison)

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Passed and Adopted by the Town Council of the Town of Ennis this 11th day of November, 1982

posted 10/30/82 - V. Manning

Randy Kirtley
RANDY KIRTLEY, MAYOR

ATTEST:

Vicki J. Manning
VICKI J MANNING, TOWN CLERK

I, Vicki J. Manning, the duly appointed, qualified and acting Town Clerk of the Town of Ennis do hereby certify that the within and foregoing is a true and correct copy of that certain Ordinance No. 73 adopted by the Town Council of the Town of Ennis on the 11th day of November 1982 as appears in the official records of said town.

Vicki Manning
Vicki J Manning, Town Clerk