

1 HOUSE BILL NO. 268

2 INTRODUCED BY B. PHALEN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SPECIAL IMPROVEMENT DISTRICT LAWS FOR
5 SANITARY AND STORM SEWERS; REVISING METROPOLITAN SANITARY AND/OR STORM SEWER
6 DISTRICT LAWS; ALLOWING A COUNTY TO USE A TAX ASSESSMENT TO COLLECT OPERATIONAL
7 COSTS INCURRED OR BILLED TO A DISTRICT; AND AMENDING SECTION 7-13-141, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 NEW SECTION. **Section 1. Charges for services.** (1) The board of county commissioners has
12 authority by ordinance or resolution to fix and establish just and equitable rates, charges, and rentals for the
13 services and benefits directly or indirectly afforded by any sanitary or storm sewer system or billed to a sanitary
14 and/or storm sewer district formed under this chapter for the purposes of providing sanitary and/or storm sewer
15 services to the district.

16 (2) The rates, charges, and rentals must be as closely equitable as possible in proportion to the
17 services and benefits rendered and may take into consideration the quantity of sewage produced, the sewage
18 concentration, water pollution qualities in general, and the cost to dispose of sewage and storm waters.

19 (3) The rates, charges, and rentals may be assessed against the owners in the district if the board of
20 county commissioners passes a resolution to levy and assess the rates, charges, and rentals. The resolution
21 must contain:

22 (a) a description of each lot or parcel of land with the name of the owner, if known; and

23 (b) the amount of each partial payment and the day when the payment becomes delinquent.

24 (4) All resolutions, signed by the presiding officer of the board, must be kept on file in the office of the
25 county clerk.

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27 **Section 2.** Section 7-13-141, MCA, is amended to read:

28 "**7-13-141. Charges for services.** (1) The board of county commissioners ~~shall have~~ has authority by

1 ordinance or resolution to fix and establish just and equitable rates, charges, and rentals for the services and
 2 benefits directly or indirectly afforded by any sanitary or storm sewer system operated by, controlled by, and
 3 under the jurisdiction of a metropolitan sanitary and/or storm sewer district formed under this part or billed to a
 4 metropolitan sanitary and/or storm sewer district formed under this part for the purposes of providing sanitary
 5 and/or storm sewer services to the district.

6 (2) ~~Such~~ The rates, charges, and rentals ~~shall~~ must be as nearly as possible equitable in proportion to
 7 the services and benefits rendered and may take into consideration:

8 (a) the quantity of sewage produced and;

9 (b) its concentration and water pollution qualities in general; and

10 (c) the cost of disposal of sewage and storm waters.

11 (3) The rates, charges, and rentals may be assessed against the owners in the district if the board of
 12 county commissioners passes a resolution to levy and assess the rates, charges, and rentals. The resolution
 13 must contain:

14 (a) a description of each lot or parcel of land with the name of the owner, if known; and

15 (b) the amount of each partial payment and the day when the payment becomes delinquent.

16 (4) All resolutions, signed by the presiding officer of the board, must be kept on file in the office of the
 17 county clerk."

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 19 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
 20 integral part of Title 7, chapter 12, part 23, and the provisions of Title 7, chapter 12, part 23, apply to [section 1].

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