

CITY OF THOMPSON FALLS NEW CUSTOMER PACKET

NAME & ADDRESS	Given	Date	Amount Paid
New Account Changes Form			
Improvement Placement Permit (\$40.00)			
Zoning Ordinance (meet regulations)			
New Water Service (2,000.00)			
New Sewer Service (not in SID)(2,000.00)			
Sewer/Water Regulations			
Animal Permit			
Camper Permit			
Dog Tag Brochure			
Burning Regulations			
Public Works Director Approval			
Mayor Approval			
Project Completion			

SID SEWER PHASE 1 \$277.00 PER YEAR ON TAXES OVER 20 YEARS TOTAL \$4,579.00

SID SEWER PHASE 2 \$301.00 PER YEAR ON TAXES OVER 20 YEARS TOTAL \$4,986.00

SID SEWER PHASE 3 \$356.00 PER YEAR ON TAXES OVER 20 YEARS TOTAL \$5,914.00

SID SEWER PHASE 4 \$279.00 PER YEAR ON TAXES OVER 20 YEARS TOTAL \$4,687.50

WATER RATE: \$41.75 FOR 2,000 GALLONS \$1.50 PER THOUSAND AFTER 2,000

SEWER RATE: \$58.50 FOR 2,000 GALLONS \$4.10 PER THOUSAND AFTER 2,000

CITY OF THOMPSON FALLS
APPLICATION FOR IMPROVEMENTS PLACEMENT, TINY HOME,
MANUFACTURED, AND MOBILE HOME PERMIT

Name: _____

Mailing Address: _____

E-mail Address: _____

Street Address: _____

Phone Number: _____

Residential A _____ **Central Business** _____ **Commercial** _____
Residential B _____ **Mixed Commercial Residential** _____ **Industrial** _____

Fee: \$40.00

This permit shall be displayed in a visible place on the building site until the project is completed.

Description of Improvements:

Mobile Home requirements:

20 years old or newer and at least 400 square feet.

The tongue, axles, transportation lights and removable towing apparatus shall be removed from any such home within 30 days of it being placed upon the premises and a weather resistant skirting, compatible with the exterior siding shall be installed around the perimeter of said home within 60 days.

Meets Requirements: _____ **Yes** _____ **No**

Towing apparatus removed within 30 days: _____ **Yes** _____ **No**

Skirting installed within 60 days: _____ **Yes** _____ **No**

Drawing of Placement of Improvements on Property: (Include distances from the improvement to the property boundaries, street boundaries and buildings on the property.) It is the owner's responsibility to determine where property boundaries are located. All structures must meet setback line, no building shall be erected or altered so as to place its street wall nearer than 10 feet from the street line and adjoining property lines and 15 feet on corner lots. For all new builds, there shall be no less than two off-street parking spaces per unit, 10' wide by 20' deep per vehicle. "B" Residential there shall be a maximum limit of 2 tiny houses per lot separated by 10" each connected individually to water, sewer and power.

Meets setback requirements: _____ **Yes** _____ **No**

Tiny Home requirements:

Permanent, single family dwelling under 400 square feet on a foundation. No additions to a tiny house are allowed.

Meets requirements: ____ **Yes** ____ **No**

Refer to Zoning Ordinance No. 352 regarding all restrictions/requirements in each district. Available at City Hall 108 Fulton St. or online at Cityofthompsonfalls.com

I certify that all information provided is true and correct and hereby make application to the City of Thompson Falls to place improvements on the property described herein.

Signature of Applicant

Date

Approval of application: _____ DATE: _____

Mayor approval of application: _____ DATE: _____

TOTAL PERMIT FEE PAID: \$ _____

CHECK # _____ CASH _____

OTHER _____

Comments/Follow up: _____

ORDINANCE NO. 352

AN ORDINANCE FOR PROMOTING THE HEALTH, SAFETY, MORALS, OR THE GENERAL WELFARE OF THOMPSON FALLS MONTANA, AND TO REGULATE AND RESTRICT THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES; THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED; THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES; THE DENSITY OF POPULATION; THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES; AND PROVIDING FOR METHOD OF ALTERING ZONING REGULATIONS.

WHEREAS, Title 76, Chapter 2, Part 3, MCA, empowers the City to enact a zoning ordinance and to provide for its administration, enforcement, and amendment, and

WHEREAS, the city council deems it necessary for the purpose of promoting the health, safety or general welfare of the city to enact such an ordinance, and

WHEREAS, the city council, pursuant to the provisions of Section 76-2-307, MCA, has appointed a Zoning Commission to recommend the boundaries of the zoning districts and appropriate regulations to be enforced therein, and

WHEREAS, the Zoning Commission has recommended dividing the City into districts and has prepared regulations pertaining to such districts, and

WHEREAS, the city council, pursuant to the provisions of Title 76, Chapter 1, Part 6, MCA, has adopted a comprehensive plan for the jurisdictional area and the regulations have been prepared in accordance with the plan, and

WHEREAS, all requirements of Title 76, Chapter 2, Part 3, MCA, with regard to the preparation of a zoning ordinance and subsequent action of the city council have been met;

WHEREAS, the ordinance shall be in full force and effect thirty (30) days after its final adoption, passage, approval, recording and publication as provided by law.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTANA, AS FOLLOWS:

A City of Thompson Falls initiated ordinance generally amending Title 10, Thompson Falls Municipal Code, the City Zoning Ordinance, to incorporate revisions.

Be it ordained that Title 10 be repealed and replaced as follows:

TITLE 10

ZONING ORDINANCE OF THE CITY OF THOMPSON FALLS, MONTANA

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10-1-1. Short Title.

This Ordinance shall be known and cited as the "Zoning Ordinance of the City of Thompson Falls, Montana".

10-1-2. Authority.

This Zoning Ordinance is adopted under the authority of the Municipal Zoning Enabling Act (76-2-301 through 76-2-328, MCA).

10-1-3. Purpose and Intent of Zoning Ordinance.

The Purpose of this zoning Ordinance is to repeal and replace the existing zoning ordinance for the City and to promulgate and adopt regulations that:

1. Are designed in accordance with a comprehensive plan.
2. Are designed to lessen congestion in the streets.

3. Will secure safety from fire, panic and other dangers.
4. Will protect health and the general welfare.
5. Will provide adequate light and air.
6. Will avoid undue concentration of the population.
7. Will facilitate the adequate provision of transportation, water, sewage, waste disposal, schools, parks and such other public requirements.
8. Give reasonable consideration to the character of the district, and of the City, and preservation of the character of the City.
9. Give reasonable consideration to the district's peculiar suitability for particular uses.
10. Give reasonable consideration to conserving the value of building.
11. Will encourage the most appropriate use of land throughout the jurisdictional area.
12. Insure that the land uses of the community are properly situated in relation to one another, providing adequate space for each type of development, and preventing problems associated with incompatible uses.
13. Control the density of development in each area of the community so that property can be adequately serviced by such public facilities as streets, schools, recreation, and utility systems.
14. Improve the quality of the physical environment of the community.
15. Protect and maintain property values.
16. Preserve and develop the economic base of the community.
17. Encourage the provision of affordable housing for families of all income levels.

10-1-4. Jurisdictional area.

The zoning jurisdiction of the City of Thompson Falls shall include all land within the corporate limits of the City of Thompson Falls.

10-1-5. Incorporation of Official Zoning Map.

1. The Official Zoning Map of the City of Thompson Falls, Montana, and all notations, references and other information shown on the map are hereby incorporated by reference and made a part of this Ordinance.
2. The Official Zoning Map shall be kept in City Hall, and shall be the controlling authority as to the current status of zoning districts in the City of Thompson Falls.
3. Whenever any changes are made to the district boundaries in accordance with the procedures of the Ordinance, those changes approved by the City Council shall be promptly entered on the Official Zoning Map, and a signed and dated certification shall be attached to the Map. No amendment to district boundaries shall become effective until those changes are presented to the City Council and approved by them.
4. No changes of any nature shall be made to Official Zoning Map, except in conformity with the procedures specified in this Ordinance.

10-1-6. Definitions.

When used in this title, the following words and phrases shall have the meaning ascribed to them in this section:

"Accessory building" means a subordinate building or portion of the main building which is located on the lot of the main building, and the use of which is clearly incidental to the use of the main building.

"Building" means a structure having a roof supported by columns or walls and which is placed on a permanent foundation for the support or enclosure of persons, animals or chattels.

"City" shall mean the City of Thompson Falls, Montana.

"Depth of lot" means the horizontal distance between the front and the rear lot lines.

"District" means a section of the city for which the regulations governing the use of buildings and premises are the same.

"Foundation" means a concrete footing with a concrete or cinder block and mortar wall and anchored to the structure.

"Lot" means land occupied or to be occupied by one building and accessory buildings and uses, including open spaces required under this title.

"Lot lines," means lines bounding a lot.

"Manufactured homes" means a single-family dwelling, which is a structure constructed off site with the intention of the same being transferred on wheels and axles in one or more sections. Said home must meet the U.S. Department of Housing and Urban Development code or the Uniform building code, in its construction 400 square feet minimum.

"Nonconforming use," means a use of a building or premises that does not conform with the regulations of the use district in which it is situated.

"Rear yard" means an open space unoccupied except for accessory buildings on the same lot with a main building, between the rear lines of the main building and the rear line of the lot, for the full width of the lot.

"RV or Recreational Vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use that either has its own mode of power or is mounted on or towed by another vehicle, including but not limited to a:

- (a) travel trailer;
- (b) camping trailer;
- (c) truck camper; or
- (d) motor home.

"Setback" means the minimum horizontal distance between the street wall of a building and the street line, or the wall of a building and the adjacent lot line.

"Side yard" means an open unoccupied space on the same lot with a building between the building and the side line of the lot extending through from the front building line to the rear yard, or to the rear line of the lot where no rear yard is required.

"Single-family dwelling" means a detached building having accommodations for and occupied by one family only. It also means a detached building used as a foster home, boarding home or community residential facility.

"Street line" means the boundary where the property meets the City right of way.

"Street wall" means the main wall nearest to and fronting on a street, including sun parlors, but not including bay windows or porches which are not closed in, and extend less than 5 feet from the main wall of the building.

"Temporary structure" means a structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the structure was erected has ceased. A temporary structure must adhere to the same setback requirements as permanent structures, determined by the particular zoning of the property and have a maximum time limit of 18 months, with a provision to apply for a 6-month extension.

"Tiny House" means a permanent, single family dwelling under 400 square feet on a foundation. No additions to a tiny house are allowed.

"Zoning Compliance Officers" means Public Works Director and Chief of Police.

10-1-7. Administration and Enforcement.

A. Prior to locating any improvement on property within the City limits, the owner of such property shall make application to the City Clerk for a zoning compliance permit on a form supplied therefore. There shall be an application fee as established in the Schedule of Fees of the City of Thompson Falls. The application shall include the property description, the owner of the property, and a narrative description of the proposed improvement. A sketch of the property showing the proposed location of the improvement shall be included with the application. The sketch shall show distances from the improvement to the property boundary. The applicant shall be required to establish property boundaries to the satisfaction of the Zoning Compliance Officer. The Zoning Compliance Officer shall be charged with the enforcement of this title.

B. Violation--Prosecution. Prosecutions for violation of this title shall be in the Municipal court of the City, upon written complaint of the Zoning Compliance Officer, or the City council, or in the Court having the appropriate jurisdiction.

C. Violation--Penalty. Persons violating any provision of this title shall be subject to the general penalty provided by Montana law, fines are on the City's fee schedule per offense and injunctive relief allowable by law, to include reasonable costs of investigation and prosecution. Each day that a violation is permitted to exist shall constitute a separate offense.

D. Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

E. Severability. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance that can be given effect without such invalid part or parts.

F. Effective Date. The ordinance shall be in full force or effect thirty (30) days after its final adoption, passage, approval, recording and publication as provided by law.

10-1-8. Appeals.

A. Appeal from the rulings of the Zoning Compliance Officer concerning the enforcement of the provisions of this title may be made to the board of adjustment within 30 days. The appellant shall file with the board of adjustment a notice of appeal specifying the grounds thereof. The zoning compliance officer shall forthwith transmit to the board all of the papers constituting the record upon which the action appealed was taken.

B. An appeal stays all proceedings in furtherance of action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment that a proceeding shall not be stayed except by a restraining order from the board of adjustment or from a court of record. (Prior code Section 10-1-08)

10-1-9. Use Districts Generally.

Use districts designated. For the purpose of classifying and regulating the use of real property, in the City limits, use districts are identified as follows:

"A" Residential;
"B" Residential;
Commercial;
Central Business District
Mixed Commercial-Residential District
Industrial

10-1-10. District Boundaries.

- A. The boundaries of the use districts shall be as shown on the use district map which is on file in the office of the city clerk.
- B. The use district map is adopted and incorporated as fully as if reproduced in this title.
- C. No land shall be used, and no building shall be erected or altered within a use district except in conformance with the regulations provided in this title.

10-1-11. "A" Residential

1. Conformance with provisions required. No building shall be erected or altered in "A" residential district except in conformity with the regulations prescribed in this chapter.

2. Permitted uses. In any "A" residential district, no land shall be used, and no building shall be erected or altered except for the following uses:

- A. Schools;
- B. Parks, recreation buildings and country clubs not conducted as a business or for profit;
- C. Accessory uses incident to the uses listed in this section, including private garages;
- D. Fire departments;
- E. Churches and temples;
- F. Libraries
- G. Senior Centers
- H. Single family residences, including manufactured homes and mobile homes of any size that meet or exceed the construction standards promulgated under the Uniform Building Code or by the U.S. Department of Housing and Urban Development (USC 42 Sec. 5401) that are 20 years old or newer where lots allow for minimum setbacks. The tongue, axles, transportation lights and removable towing apparatus shall be removed from any such home within 30 days of it being placed upon the premises

and a weather resistant skirting, compatible with the exterior siding shall be installed around the perimeter of said home within 60 days.

3. Development standards—General. In “A” residential district, the following standards apply:

- A. Building Area. Except as otherwise provided in this chapter, no building with its accessory buildings shall be erected or altered so as to occupy more than 50 percent of the area of a corner lot.
- B. Rear Yards. Except as otherwise provided in this chapter, every building shall have a rear yard, the depth of which shall not be less than 10 feet for all lot sizes
- C. Side Yards. Except as otherwise provided in this chapter, every lot shall have 2 side yards, each of not less than 5 feet in width.
- D. Height. Except as otherwise provided in this chapter, no building shall exceed 35 feet in height.
- E. Setback Line. No building shall be erected or altered so as to place its street wall nearer than 10 feet from the street line and adjoining property lines and 15 feet on corner lots.
- F. For all new builds, there shall be no less than two off-street parking spaces per unit, 10’ wide by 20’ deep per vehicle.
- G. All permanent dwellings must be connected to City water and sewer and approved electric. Generators shall not be the main source of power for any dwelling in any zone within the city limits. Generator use must be limited to use as a temporary power supply during emergency situations or construction.
- H. It is the responsibility of the property owner to comply with insurance requirements.
- I. Prior to erecting any fence, property owner shall locate survey pins indicating property boundaries. If pins cannot be located, a survey must be conducted.

4. Development standards—Schools, churches, temples, libraries, senior centers and fire departments.

- A. For the purpose of erecting schools, churches, temples, libraries, senior centers or fire departments, two or more adjoining lots shall be considered a single lot (hereinafter called a “plot”), provided, that the side line, rear yard and building setback provisions are observed.
- B. Two side yards of not less than 5 feet in width shall be provided on each plot.
- C. The depth of the rear yard of the plot shall not be less than 10 feet;
- D. The street wall of the building erected on the plot shall be placed no closer than 10 feet to the street line and 15 feet on corner lots.
- E. The building shall not exceed 35 feet in height.

10-1-12. “B” Residential District

1. Conformance with provisions required. No building shall be erected or altered in a “B” residential district except in conformity with the regulations prescribed in this chapter.

2. Permitted uses. In any “B” residential district, no land shall be used, and no building shall be erected or altered except for the following uses:

- A. Any use permitted in an “A” residential district;
- B. Manufactured homes and mobile homes of any size that meet or exceed the construction standards promulgated under the Uniform Building Code or by the U.S. Department of Housing and Urban

Development (USC 42 Sec. 5401) that are 20 years old or newer and at least 400 square feet. The tongue, axles, transportation lights and removable towing apparatus shall be removed from any such home within thirty days of it being placed upon the premises and a weather resistant skirting, compatible with the exterior siding shall be installed around the perimeter of said home within sixty days.

- C. Apartment houses and multiple-family dwellings;
- D. Hospitals;
- E. Police Departments;
- F. Professional or commercial offices.
- H. Tiny Houses;

3. Development standards. In a "B" residential district, the Following standards apply:

- A. Building Area. No building with its accessory buildings shall be erected or altered so as to occupy more than 50 percent of the area of an interior lot, or more than sixty percent of the area of a corner lot.
- B. Rear Yards. Every building shall have a rear yard, the depth of which shall not be less than 10 feet for all lot sizes
- C. Side Yards. 2 side yards shall be provided on every lot. The width of each side yard shall not be less than 5 feet from adjoining property lines.
- D. Setback Line. No building shall be erected or altered so as to place its street wall nearer than 10 feet from the street line and 15 feet on corner lots. No accessory building shall be erected nearer than fifteen feet from the street line.
- E. Height. No building shall exceed 35 feet in height. (Prior code Sections 10-3-03—10-3-07)
- F. For all new builds, there shall be no less than two off-street parking spaces per unit 10' by 20' deep per vehicle.
- G. All permanent dwellings must be connected to City water and sewer and approved electric.
- H. Generators shall not be the main source of power for any dwelling in any zone within the city limits. Generator use must be limited to use as a temporary power supply during emergency situations or construction.
- I. It is the responsibility of the property owner to comply with insurance requirements.
- J. Prior to erecting any fence, property owner shall locate survey pins indicating property boundaries. If property pins cannot be located, a survey must be conducted first.
- I. There shall be a maximum limit of 2 tiny houses per lot separated by 10' each connected individually to water, sewer and power.
- J. Recreational Vehicles (RV's) refer to ordinance # 343.

10-1-13. Commercial District.

1. Conformance with provisions required. No building shall be erected or altered in a "Commercial " district except in conformity with the regulations prescribed in this chapter.

2. Permitted Uses. In any commercial district, no land shall be used, and no building shall be erected or altered except for the following uses:

- A. Any use permitted in an "A" or "B" residential district.

- B. Light manufacturing carried on within entirely closed building, and which creates no objectionable noise, odor, smoke fumes, vapor, dust or gas.
- C. Residential single-family homes may be permitted where such residential use is in support of and attendant to a commercial business or enterprise. A residential single-family home shall be defined as a frame dwelling with at least one bedroom and bathroom or a manufactured home of four hundred square feet in size with tongue and axles removed and placed upon a foundation consistent with municipal building codes.

3. Prohibited uses. The following uses are prohibited in Commercial District:

- A. Storage yards for scrap, bulk or raw materials
- B. Railroad yards;
- C. Livestock corrals or feed lots;
- D. Junkyard

4. Screening and Buffering

Whenever a non-residential use or off-street parking area abuts a residential use, the use shall be effectively screened at the property line on all sides which adjoin or face the residential district or institutional use by a sight-obstructing wall, fence or planting screen, acceptable to the Zoning Compliance Officer, not less than 4 feet nor more than 8 feet in height, and shall be maintained in good condition.

10-1-14. Central Business District.

1. Permitted uses. In any "Central Business" district, no land shall be used, and no building shall be erected or altered except for the following uses:

- 1. Amusement and recreational facilities in enclosed building and parks.
- 2. Attached apartments.
- 3. Auditoriums, theaters.
- 4. Businesses or services conducted primarily within enclosed buildings.
- 5. Financial institutions.
- 6. Government, educational and institutional uses.
- 7. Professional clinics and offices.
- 8. Museums and art galleries.
- 9. Police and fire stations.
- 10. Libraries.
- 11. Restaurants.
- 12. Bars, taverns, lounges, nightclubs.
- 13. Senior Citizen centers.
- 14. Other uses commensurate with the above uses and compatible with the purposes of this District.
- 15. Marijuana Sales- medical and recreation (No manufacturing or cultivation).
- 16. Liquor stores.
- 17. Adult oriented businesses.

2. Prohibited Uses. In any "Central Business" district, no land shall be used, and no building shall be erected or altered for the following uses:

1. Detached living quarters.
2. Storage yards for scrap, building or raw materials.
3. Livestock corrals or feed lots
4. All businesses which create objectionable noise, odor, smoke, fumes, vapor, dust or gas.

10-1-15. Industrial District.

1. Permitted Uses. Buildings and premises may be used for any of the following industrial operations as hereinafter defined shall be permitted with Zone "Industrial" of the City zoning area:

1. The construction, maintenance, and operation of wood and metal product manufacturing plants.
2. The storage of finished products and the movement thereof.
3. The processing of manufactured products.
4. The construction, maintenance and operation of machinery and physical plant for manufacturing purposes.
5. Includes only those industries that manufacture, produce, process, or fabricate materials.
6. Railroad.

2. Prohibited Uses. No building or occupancy permit shall be issued for any of the following uses, until and unless, the location of such uses shall have been approved by the Council:

1. Wood pulp or paper processing plant.
2. Acid manufacture.
3. Distillation of bones, coal, or wood.
4. Explosive manufacture or storage.
5. Fat rendering.
6. Fertilizer manufacture.
7. Garbage, offal, or dead animal reduction.
8. Petroleum refining.
9. Smelting of any metals or ores.
10. Stock yards or slaughter animals.

10-1-16. Mixed Commercial/ Residential District

1. General Requirements. This provides area for a compatible mixture of business and residential land uses.

- A. Height: Buildings shall not be more than 35 feet.
- B. Setbacks/Yards: No front, back, or side yards shall be required for commercial buildings in this district. Residential buildings shall comply with setback regulations as otherwise provided in this Code.
- C. Lot Area Per Family: Every building hereafter erected, structurally altered or maintained for residential purposes shall provide a lot area of not less than 3,480 square feet per family.
- D. Use: No building, structure or premises shall be used, and no building or structure shall be erected, structurally altered or maintained, unless otherwise provided in this article, except for one or more of the uses listed below. No business, trade or industry shall be permitted in this district which is noxious

or offensive by reason of the emission of odor, dust, smoke, gas, vibration or noise, or which imposes any extraordinary hazard to life or property.

2. Permitted Uses. The following uses are permitted in a Mixed Commercial/Residential area:

1. Adult oriented businesses located not less than 500 feet from a church or similar place of worship or a school.
2. Any use permitted in the "B" Residential District along with any specific requirements therein.
3. Apartments, condominiums and cityhouses. Apartments or condominiums may be located above retail or business operations. The minimum lot area per family in subsection C above and the design standards located in the "B" residential district do not apply when located above retail or business operations. The minimum living area per family unit is 500 square feet. When one or more residences are located above a business, one off-street parking space 10' by 20' per unit is required.
4. Amusement arcade providing games of skill to patrons at a cost where wholly contained within the building.
5. Art galleries and studios.
6. Assembly hall.
7. Automobile repair shops, garages and sales
8. Bakery
9. Bank
10. Bar
11. Barber shop/Beauty parlor
12. Boarding house
13. Bowling alley
14. Building supply store
15. Business or professional office
16. Car wash
17. Casino
18. Coffee shop, café, espresso stand
19. Computer services
20. Dry cleaning and dyeing
21. Electronics service and repair
22. Florist shop
23. Feed store
24. Food products or preparation, except such uses as are involved in handling live animals or fowls to finished products.
25. Furniture store
26. Gasoline or oil retail supply station, including filling station
27. Gift store
28. Greenhouse
29. Grocery store
30. Governmental, cultural and institutional facilities
31. Hardware store
32. Health studio, gym
33. Hospitals, clinics and related medical goods and services

34. Hotels, motels and other hospitality and entertainment uses.
35. Ice plant or ice storage for less than 5 tons
36. Laundry
37. Light manufacturing in connection with uses herein permitted, provided that no more than 25% of the total floor space of the building or structure in this district is not used for manufacturing
38. Liquor store
39. Machine shop
40. Motor vehicle sales
41. Marijuana sales
42. Music and video studio
43. Public or private garage or parking area
44. Newspaper publishing, printing and bookbinding
45. Radio or television broadcasting station
46. Retail sales and service
47. Restaurant
48. Senior citizen center
49. Sheet-metal working
50. Shoe-shining or shoe repairing
51. Signs
52. Sporting goods store
53. Storage facility
54. Theater
55. Upholstery and drapery shops
56. Veterinarian office, small animal
57. Wireless communication facility with one or all antennae located on an existing tower or monopole or attached to an existing building or structure, camouflaged and/or hidden to the extent possible, collocated to the extent possible and not greater than 70 feet in height.
58. Wholesale business

10-1-17. Nonconforming Uses Generally.

1. Application of Chapter. The provisions of this chapter shall apply to building, structures, lands and uses that are nonconforming, as defined.

2. Nonconforming Lots of Record.

A. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this chapter, a single-family dwelling and customary accessory buildings may be erected on any vacant single lot of record, with the county clerk and recorder, on the effective date of adoption or amendment of the ordinance codified in this chapter. The lot must be in separate ownership and not contiguous frontage with other lots in the same ownership. This section shall apply although the lot fails to meet the requirements for area or width, or both, generally applicable in the district, except that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district.

B. If two or more vacant lots or combinations of lots and portions of lots with contiguous frontage are in single ownership of record at the time of passage or amendment of the ordinance codified in this chapter, and if all or part of the lots do not meet the requirements for lot widths and areas as established by this chapter, the lots shall be deemed to be an undivided parcel for the purpose of this chapter, and no portion of said parcel which does not meet lot widths and area requirements established by this chapter shall be used for a building site. No division of the lots shall be made which leaves remaining any lot with width or area smaller than the requirements in this chapter.

3. Nonconforming uses of land. A lawful use of land existing on the effective date of adoption or amendment of any ordinance or district regulation governing its use, or change of district boundaries, made no longer permissible by such adoption, amendment, or change in district boundaries, may be continued so long as it remains otherwise lawful, subject to the following conditions:

A. No such nonconforming use shall be enlarged, increased or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of any ordinance, or change in district boundaries;

B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of any ordinance, or change in district boundaries;

C. If the nonconforming use of land ceases for any reason for a period of two years, subsequent use of such land shall conform to the regulations specified by this chapter for the zone in which the land is located.

4. Nonconforming Structures. A lawful structure existing on the effective date of adoption or amendment of the ordinance codified in this chapter which could not be built under this chapter by reason of restriction on area, lot coverage, height, yards, or other characteristics of the structure or its location on that lot, may be continued so long as it remains lawful, subject to the following conditions:

A. No such structure may be enlarged or altered in a way which increases its nonconformity unless an enlargement or structural alteration is required by law;

B. Any such structure destroyed by any means to an extent that the cost of replacement is more than fifty percent of the cost of replacing the entire structure at the time of destruction shall not be reconstructed or replaced except in conformity with the provisions of all applicable ordinances;

C. Any structure moved for any reason for any distance whatever shall thereafter conform to the regulation for the district in which it is located after it is moved;

D. Any structure may be altered if necessary to adapt a nonconforming building to a new technologies or equipment pertaining to uses housed in such building, but any enlargement necessary to adapt to new technologies shall be authorized only by a variance.

10-1-18. Rezoning.

A. If the boundary change is requested by petition or initiated by the City Council, the same shall then be referred to the City Council, which shall make a careful investigation and hold public hearing thereon. The City Council shall cause notice to be published twice in the local newspaper of the City and at City Hall of the time and the place set for the hearing upon the boundary changes. The first publication of such notice shall be made no less than fifteen days before the date of such hearing. 100 % of affected

property owners need to be notified of change by certified mail. At such hearing the City council shall hear all persons and all objections and recommendations relative to the proposed change. Action shall be taken upon such ordinance by the City Council at the next regularly scheduled meeting and the action shall be final and conclusive as to all matters and things involved in the boundary change signed by the owners of 35 percent or more, either of the area of the lots included in the proposed change, or of those immediately adjacent in the rear thereof extending 150 feet therefrom, or those adjacent on either side thereof within the same block, or of those directly opposite thereof extending 150 feet from the street frontage of such opposite lots, the amendment shall not become effective except by the favorable vote of three-fourths of all members of the City Council. Individual owners requesting rezone will be responsible for all fees associated with the project, postings, certified mail expense, letters and time invested by City employees.

B. Such protest petitions must be filed with the City clerk's office by 3 pm of the Thursday preceding the public hearing before the City Council.

C. When such proposed amendment has been rejected by the city council, neither it nor one involving only the same property shall be offered for adoption within 1 year after such rejection.

10-1-19. Variances.

A. A board of adjustment is established as provided by MCA Sections 76-2-321/76-2-328. It shall consist of 5 members appointed by the mayor, with the approval of the City Council, for terms of 3 years. It shall hold its meetings in the Main City Hall or at such other place as may be designated by its chairman in the city, and the presence of 4 members shall be necessary to constitute a quorum. Its duties and powers shall be as defined by state law, and it shall be the duty of other departments of the city to render such assistance as may be reasonable required.

B. Changes in the regulations, restrictions and boundaries of districts may be made only by the City Council, and in the manner designated by law.

C. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this chapter, or any amendment thereto, the board of adjustment shall have the power, after public notice and hearing, in a specific case, to vary or modify any of the regulations or provisions relating to the construction, structural changes or alterations of buildings or structures in harmony with their fundamental purpose and intent, or any use thereof, so that the public health, safety and general welfare may be conserved and substantial justice done.

D. In every case, however, where a permit is either granted or revoked by the board of adjustment, it must be affirmatively shown that an unnecessary hardship or practical difficulty exists, and the records of such board shall clearly indicate in what particular and specific respects an unnecessary hardship or practical difficulty would be created.

10-1-20. Conditional Use.

Generally: A Conditional Use Permit may be required when a resident operates a business or function, that is not permitted in a particular zone designation.

A. An application and Guidelines for Conditional Use is available from the City Clerk.

B. Completed application, supporting documentation, and fees must be submitted to the Zoning Compliance Officer before application will be considered by City Council. See Appendix: Table of Fees.

- C. Applicant must show proof that the Conditional Use will not negatively impact the community, and provide affidavits of approval from residents and property owners impacted by the Conditional Use.
- D. Upon reviewing the application for Conditional Use and supporting documentation, the City Council may grant approval for the Conditional Use.
- E. Conditional Use is temporary, having a start date and end date.
- F. Conditional Use Permit may be renewed, pending review by City Council.

10-2-1. Fencing.

1. Purpose. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property. The negative effects of fences can include the creation of street walls that inhibit public safety, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones. These standards are applicable to all Zoning designations within the City of Thompson Falls.

2. Materials. Perimeter fences and walls shall not be constructed of or contain any material that will do bodily harm, such as electric or barbed wire, broken glass, spikes, or any other hazardous or dangerous materials, except as follows:

- A. Barbed wire is permitted on top of a 6-foot-tall fence in commercial, industrial, and commercial zones. The total height of the fence and barbed wire is limited to 8 feet. Barbed-wire-only fences are prohibited except as allowed in subsection B.
- B. Large Animal Containment. Where cattle, sheep, horses or other livestock are permitted or existed when the property was annexed to the City, barbed wire is permitted within 6 inches from the top of a fence at least 4 feet tall that is used to contain or restrict large animals
- C. Deer Fence. Fence installed for the purpose of exclusion of deer from a property must not restrict drivers' vision of the roadway or intersection. The total height of the fence is limited to 8 feet and must be open wire.
- D. Electrically charged fences are not permitted as perimeter fence except for around beehives, chickens, ducks, quail, rabbits and garbage cans. Any electric charged fence permitted under this section shall noticed and clearly identified as being electrically charged.

3. Standards. Fences and walls shall meet the following standards. If a fence or wall is used to meet required screening, it shall meet the provisions in Chapter 18.08.060.

A. Standards in Residential zones (See also C. standards for ALL fences)

- 1. Fences shall be no taller than 6 feet.
- 2. Corner properties, which by definition have 2 front yards, may have a Fence no taller than 6 feet in the front yard adjacent to the street that does not contain the main door entrance which does not restrict a driver's vision of the roadway or intersection.
- 3. All fences must be on or behind the property line.
- 4. Interior fences shall not be regulated.

B. Standards in Commercial and Industrial Zones:

Fences in front yards. Fences shall be no taller than 6 feet in required front yards. 6-foot fences containing barbed wire on top or fences taller than 6 feet are not permitted in the front yards.

C. Standards for All Fences:

1. In no instance or zone shall a fence exceed 6 feet except when permitted in Fence Ordinance,
2. In no instance shall a fence extend beyond the property line.
3. Should an existing structure sit on a common property line; no fence shall be placed that prevents use of an existing or required emergency exits.
4. No fences shall restrict a driver's vision of the roadway.

D. Measuring Fence Height.

Fence height shall be measured from the average height of the grade adjacent to where the fence is to be located. If a fence is to be constructed on top of a berm, the height shall be measured from the bottom of the berm. Fence height includes the height of the fence, wall, or picket and does not include the posts, or arbors and trellises at entrance gates.

E. Maintenance.

Every fence, whether required or not, will be maintained. No fence is allowed to become or remain in a condition of disrepair including, but not limited to noticeable leaning, missing slats, broken supports, and overgrowth of weeds or vines.

4. Non-conforming Fences.


Existing fences that were constructed legally and/or that were in place at the time the property was annexed to the City that do not meet the current fencing standards shall be considered a legal non-conforming use, provided that the barbed wire or upturned barbed selvage does not extend over a street or alley and where it does slant toward the public right-of-way it shall not be located less than 1 foot from said right-of-way.

Effective Date. The ordinance shall be in full force or effect thirty (30) days after its final adoption, passage, approval, recording and publication as provided by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF APPROVED BY THE CITY OF THOMPSON FALLS, MONTANA, AT A REGULAR SESSION THEREOF HELD ON THE AUGUST 8, 2022.


Mark Sheets, Mayor

ATTEST:


Chelsea Peterson, Clerk/Treasurer



APPLICATION FOR WATER SERVICE

City of Thompson Falls
P.O. Box 99, 108 Fulton Street, Thompson Falls, MT 59873
(406) 827-3557 FAX (406) 827-3090



Application Date: _____

Owner: _____ Phone _____

Mailing Address: _____

Property Location (Address) _____

Description of Property: Lot _____ Block _____ Addition _____

If necessary, please describe by reference to city limits and other landmarks: _____

Contractor: _____ Phone _____

_____ New owner, continue service only, no charge.

I am requesting: _____ New Water Service at the above location.

Charges:

Connection Fee \$2,000

_____ Resumption of Existing Water at the above location.

Turn On/Off Fee: \$50.00

ALL FEES MUST BE PAID TO THE CLERK WITH THIS APPLICATION PRIOR TO WATER CONNECTION.

I have received and reviewed the "WATER AND SEWER SYSTEM REGULATIONS OF THOMPSON FALLS, MONTANA". I will abide by and accept all the provisions by the regulations as conditions governing the use of the City Water supply and Sewer system.

Applicant Signature

FOR PUBLIC WORKS DEPARTMENT USE ONLY:

Water Line Size: _____ Type of Connection: _____ Connected on Date: _____
Inspected By: _____ Approved / Denied (circle one) Approval Date: _____

FOR UTILITY BILLING CLERK USE ONLY:

Create New Account # _____ Create Route # _____

PAID _____ Yes _____ No

APPLICATION FOR SEWER CONNECTION SERVICE

City of Thompson Falls
P.O. Box 99, 108 Fulton Street, Thompson Falls, MT 59873
(406) 827-3557 FAX (406) 827-3090



Application Date: _____

Owner: _____ Phone _____

Mailing Address: _____

Property Location (Address): _____

Description of Property: Lot _____ Block _____ Addition _____

If necessary, please describe by reference to city limits and other landmarks: _____

Contractor: _____ Phone _____

I am requesting: _____ New Sewer Connection Service at the above property location.

Service Connection Fee: \$2,000

ALL FEES MUST BE PAID TO THE CLERK WITH THIS APPLICATION PRIOR TO WATER CONNECTION.

I have received and reviewed the "WATER AND SEWER SYSTEM REGULATIONS OF THOMPSON FALLS, MONTANA". I will abide by and accept all the provisions by the regulations as conditions governing the use of the City Water supply and Sewer system.

Applicant Signature

FOR PUBLIC WORKS DEPARTMENT USE ONLY:

Water Line Size: _____ Type of Connection: _____ Connected on Date: _____
Inspected By: _____ Approved / Denied (circle one) Approval Date: _____

FOR UTILITY BILLING CLERK USE ONLY:

Create New Account # _____ Create Route # _____
PAID _____ Yes _____ No _____

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CITY OF THOMPSON FALLS

WATER & SEWER REGULATIONS



April 10, 2023

COLLECTION OF WATER & SEWER CHARGES AND ENFORCEMENT OF REGULATIONS

Section 1. Billing Cycle - Water meters shall be read on or around the 1st of the month and bills for water and or sewer shall be issued the following day. Payment is due by the first of the following month and delinquent if not paid by the 1st of that month. A delinquent charge of \$5.00 will be added to the next bill. New service connections and services inactive as of June 15, 1994 will not be billed until activated.

Section 2. Party Responsible for Payment - The owner of the premises receiving water and or sewer shall be responsible to pay for these services provided to the premises. For the purpose of this regulation the term "owner" shall mean a purchaser on contract for deed in cases where property is being purchased on contract. If two NSF checks are received from an individual, only cash will be accepted as payment from that individual. A \$30.00 fee shall be assessed for any NSF checks received.

Section 3. Notice of Delinquent Water & Sewer Bills - When any water and or sewer bill for any premises shall have been delinquent for two months, the City shall prepare and mail by certified mail to the property owner a notice of delinquency. The notice shall state with particularity the amount and period of such delinquency including a \$15.00 fee for certified mail. The notice shall advise the recipient that he or she may provide a written explanation or appear before the City Council at the next regular meeting to show cause why water service to the premises should not be turned off. The notice shall further state the consequences of a failure to bring the water and or sewer bill current as set forth hereinafter. Payment arrangements must be approved by City Council.

Section 4. Council Authority to Defer Payment - The City Council shall have the authority to continue providing water and or sewer service and to defer the payment of delinquent water and or sewer bills after notice of delinquency is sent as hereinabove provided, if, in the Council's judgment, good cause exists for such deferment, but the Council shall have no authority to defer the imposition of sanctions hereinafter provided for a period of longer than six months after the notice of delinquency is sent.

Section 5. Failure to Cure Delinquency - If a delinquent water and or sewer bill has not been paid before the next regular council meeting after notice of delinquency is sent and if no person appears, or, having appeared, fails in the judgment of the council, to show cause why water service to the premises shall not be turned off, the council shall direct the water Public Works Director to turn off the water supply without further notice to the owner or occupant of the premises. Notice of the impending water shut-off shall be posted on the property, in a readily observable location, no less than 24-hours before the water service is to be shut-off. Failure of a property owner or water customer to see the notice shall not constitute a defense in failing to meet the intent of the notice or the rules of water service.

Section 6. Vacation Rate – Any request to be placed on vacation rate for water and sewer shall be made in writing and shall also cause the water to be shut off at the meter. At such time as a written request is made for billing to be taken off vacation rate and water turned back on, a \$50.00 fee shall be paid in advance. The owner or representative has to be present when water turned back on. Water and sewer rates be will charged from the date water turned on.

Section 7. Foreclosed Properties – If a property is Foreclosed the Foreclosing Company shall:

1. Pay the bill in full

2. Notify the City to ask to turn off the services after the account is showing zero usage. Vacation rate charges have to be applied for and will accrue until the property is bought by a new owner/customer.
3. The new owner/customer will pay a \$50.00 turn on fee and all accrued charges to have services turned on.
4. If water needs to be turned on for an appraisal or for a repair the Foreclosing Company/Realtor shall pay the regular \$50.00 Water Turn-on fee.

Section 8. Permanent Shut offs- After August 9, 2021; there will be no permanent shut offs.

Section 9. Water, Sewer Connections- No water or sewer connections will be done from November through March unless written signed permission from the Public Works Director and Mayor.

WATER SYSTEM REGULATIONS OF THOMPSON FALLS, MONTANA

GENERAL PROVISIONS

Section 1. Authority - The following regulations governing the water system of the City of Thompson Falls have been adopted by resolution by the City Council of Thompson Falls pursuant to the authority granted by Section 69-7-201 M.C.A. and by Chapter 9-1-1 of the Code of Thompson Falls, Montana.

Section 2. Service Area - The service area of the Thompson Falls Water System shall be all of that area of the City within its corporate limits.

Section 3. Service Connection – Service Lines and Connections

- 1. Main Connection.** Any person desiring the extension of a new water service for premises within the service area of the Thompson Falls water system shall complete an application to the City office at City Hall for a service connection and shall pay a connection fee at the time application is made. The connection fee pays for the City to install a service clamp on the main, a corporation cock, and the cost of inspection of the water line, meter pit and curb valve installation. The connection fee is for a 1" tap. Any larger taps are charged extra for the additional cost to the City. The customer is responsible for the excavation from the point of intended use to the main. Restoration of the excavated area in the public right-of-way is the responsibility of the customer. All work done in the public right-of-way shall be done by a licensed and insured contractor and in accordance with City standards and Montana Public Works Standard Specifications. Such plumbing shall not be installed unless the City Water Utility has received at least twenty-four hours advanced notice of the time and manner of proposed installation. All connections shall be made under the supervision of the City Water Utility and no connection shall be covered until the work has been inspected by the City Water Utility. Coordination should be afforded so the city's service line and the property owner's line are compatible. No water service may be obtained for a property except by the owner of the property, as listed on Sanders County tax rolls. Any person, firm, or corporation on property located outside of incorporated City limits may be required by the City, as a condition to initiate water service, to consent to annexation of the tract of property to be served by the City. See Mont. Code Ann. § 7-13-4314; § 69-7-201 (2015).

- 2. Service Lines.** The customer, at the customer's expense, shall install all piping and appurtenances, except the meter, from the main connection to the point of usage and restore all surfaces in the public right-of-way to the conditions which existed before installation. The curb valve, curb box and meter pit shall be located in the public right-of-way or easement, as directed by the Water Utility. Once installed and approved by the City Water Utility the service line, curb valve, curb box and meter pit located in the public right-of-way become the property of the City Water Utility and will be maintained by the Water Utility from the main line connection to the outlet fitting of the meter pit. There shall be no branches made in the water service line between the City's curb valve and the meter pit.
- 3. Main line extension.** Any extensions of a water service main line into any new subdivision or annexed property shall be engineered, designed, inspected and have approved construction by the City Engineer. The cost of the City Engineer and any inspection will be reimbursed to the City by the party requesting the extension of the service main. Construction and materials for water main line extension, requested by a developer of an annexed property or property owner, are to be paid by the developer or owner and the water main line will become property of the city upon completion and acceptance by the City Engineer.
- 4. Permit.** All excavations in City right-of-ways require an excavation permit. Permits and information on permit requirements are available at the City Office.
- 5.** An easement of 10ft. on each side of the main line shall be given to the City for any main line extension and no development may happen on this easement.

Section 4. Consent to Annexation –

The City may, at any time, require any owner of property located outside the City corporate limits receiving water service to consent to annexation as a condition of continued water service. When the City determines to require such consent from a particular property owner, the City will notify the property owner, in writing, that the City seeks such consent, and that if such consent is not given, the City will require the property owner to discontinue receiving water service. If the property owner has not, within ten (10) days, made firm written arrangements to discontinue water service, then the City shall be entitled to treat the property owner as having consented to annexation of his or her property upon expiration of such 10-day period. If the property owner consents to annexation by failing to make arrangements to disconnect, then the City shall be entitled to disregard any protest that such property owner makes to a proposed annexation of his or her property. *See* Mont. Code Ann. § 7-13-4314; § 69-7-201; *See also* Montana Attorney General Opinion, 46 Op. Att'y Gen. No. 12 (1995); Montana Supreme Court Opinion, *Gregg v. Whitefish City Council*, 2004 MT 262, ¶32.

Section 5. Water Turn on Procedure and Deposits - Before the connection for water from the Thompson Falls municipal water system shall be turned on to provide water for either a new water service or the resumption of existing water service, the person desiring the turn-on shall complete an application at City Hall on an application form which shall contain an agreement by the applicant to abide by and accept all the provisions of these regulations as conditions governing the use of the City water supply by the applicant. The application must be signed in the presence of a city employee or agent who then must affirm that they witnessed the

signing. Applications shall contain contact owner phone number, mailing address and email address. No water from the City water supply shall be turned on for service into any premises by any person but the City Public Works Director or by some person authorized by the city to perform this service. A turn on fee of \$50.00 shall be charged at the time application for turn-on is made. The City requires an application for turn-on to be made in writing and requires an applicant to acknowledge receipt of a copy of these regulations and any other regulations and rules that apply to city water service. The owner or their representative must be present when water is turned on.

Section 6. Plumbing - No water shall be turned on to service in premises in which the plumbing does not comply with the ordinances of the City including any plumbing code which may have been adopted and may in effect at the time application for water turn on is made; provided, that water may be turned on for construction work in unfinished buildings.

All services are required to have a main shut off valve that is accessible and in good working order. Water service may be shut off at the discretion of the City in cases where the plumbing or associated improvements have become inadequate through time or neglect. Service will be restored when problem is taken care of and turn on fee has been paid.

Section 7. Resale - No water shall be resold or distributed by the recipient thereof from the city supply to any premises other than that for which application has been made and the meter installed, except in case of emergency.

Section 8. Tampering, Damage - No person other than an individual duly authorized by the City of Thompson Falls, shall tamper with, alter or injure any part of the city waterworks or supply system, curb box, meter pit or meter readout. Tampering with water facilities to willfully cause damage or disruption is a Federal Offense. (U.S. Code Title 42 section 300i-1). Damage to City water system components will result in charges for repairs or replacements to property owner.

Section 9. Repairs - Owners of premises served shall keep the pipes and plumbing upon their premises in good repair and prevent the waste or leakage of water and shall be held liable for all damage to the City of Thompson Falls for their failure to do so. All repairs for service pipes and plumbing systems of premises shall be made by and at the expense of the owners of the premises served. The City may in case of an emergency, repair any service pipes and if this is done the cost of such repair work shall be repaid to the City by the owner of the premises served. The City water department will turn water service off and on for maintenance and repairs during regular department hours. Call-outs after hours will be charged a minimum of \$50.00. No changes to curb boxes, meters, meter pits, or meter readouts are allowed without City of Thompson Falls approval. This includes burying of curb boxes, meter pits, enclosing of meters or readouts etc. Any upgrades to City water components to accommodate customer changes must be done with prior City approval with the property owner responsible for the costs.

METERS

Section 1. Meter Required - All premises to which City water is supplied shall be equipped with an operating water meter furnished by the City which shall remain the property of the City of Thompson Falls after installation. A separate meter is required for each individual residence and each individual business but combined residences and businesses occupying the same building may be served by a single meter.

Section 2. Meter Installation – All meters will be installed in a frost-free meter suitable for exterior installation, unless, in the judgement of the Water Utility such installation is not feasible. The owner of the property will have the meter installed by the City of Thompson Falls once the service line, curb valve, curb box and meter pit have been installed by the customer's contractor and approved by the City.

Section 3. Access to Property - The City personnel shall at all times have access to meters, meter pits, meter readouts, service connections, curb boxes and any property owned by the City which is on the customer's premises for the purpose of maintenance, operation and inspection. The City also reserves the right to inspect all plumbing connected to the City supply of water for violation of use, or improper or illegal connections. Upon reasonable notice the customer shall remove obstructions and contain pets so they do not impair ingress or egress or interfere with the work of the City personnel. If the customer refuses to allow access, remove obstructions or contain pets for official City purposes, it shall be deemed to be sufficient cause for discontinuance of service. The customer shall have the right to verify the identity of the person seeking access. City employees whose duties require the entering of the customer's premises shall carry an identification card issued by the City identifying the employee as a representative of the City. The identification card shall contain pertinent information necessary to identify the employee, including a photograph together with the telephone number of the City office.

Section 4. Testing Meters - Any municipal water meter shall be taken out and tested upon complaint of the consumer, upon payment of a fee of \$50.00. If upon test the meter is not within three percent of being accurate, it shall be repaired or replaced and the \$50.00 fee returned to the consumer.

WATER RATES

Section 1. Rate Schedule - The following schedule of rates based on meter readings shall be charged for City of Thompson Falls water service:

- A. Rates. The City hereby adopts the rate structure, as described in Resolution No. 804, for the water and wastewater users of the City as follows:

WATER

New Drinking Water Rate. The City's monthly base rate for the Water System is calculated by determining an amount per EDU sufficient to pay Water System debt service and reserve costs, plus a portion of the operation and maintenance costs. The new monthly base rate will be as follows:

RESIDENTIAL: Base rate is \$41.25, with 2,000 gallons included. This shall increase to \$41.75 on January 1, 2022, then to \$42.25 on January 1, 2023, and to \$42.75 on January 1, 2024.

Charge \$1.50 for each 1,000 gallons used per month after 2,000 gallons per month.

COMMERCIAL: Current base rate is \$41.25, with 2,000 gallons per month included. This shall increase to \$41.75 on January 1, 2022, then to \$42.25 on January 1, 2023, and to \$42.75 on January 1, 2024.

Charge \$1.50 for each 1,000 gallons used per month after 2,000 gallons per month.

VACATION: Vacation Rate--\$31.25 a month after bill showing zero usage. This shall increase to \$31.75 on January 1, 2022, then to \$32.25 on January 1, 2023, and to \$32.75 on January 1, 2024.

Meter Size	Multiplier	Gallons
3/4"	1	2,000
1"	1.79	3,580
1 1/2"	4	8,000
2"	7.14	14,280
3"	16	32,000
4"	28.57	57,000

Thompson Falls Municipal Water Rates

\$1.50/1,000 over 2,000 gallons for 3/4" line size and \$1.50 per 1,000 gallons after the base rate reflected above.

\$2,000.00	Service Line Connection to Main Line (1" tap)
\$2,000.00	Turn on fee on permanent shut off properties
\$50.00	Water Turn-on fee
\$50.00	Maintenance and repairs after regular business hours
\$50.00	Data Log Meter
\$20.00	Broken meter base
\$15.00	Delinquent notice charge
\$5.00	Delinquent charge after payment due date
\$30.00	NSF Checks

B. Rental Units – Water Change

A residential connection with additional separate rental(s) shall be charged the base rate of \$41.25 per month for the first user and \$41.25 per month for each additional rental unit with 2,000 gallons per month for each unit included in the base rate. Charge \$1.50 for each 1,000 gallons used per month after 2,000 gallons per month.

C. Effective Date of New Rate Charges and Method of Calculating

Rates and Future Changes. The new rates will go into effect October, 2021 billing. Any subsequent adjustments to the rates will be made by resolution of the Council duly adopted after a public hearing with notice thereof given as provided by law.

Section. 2. Modification of Rate Schedule - The foregoing rate schedule may be amended from time to time by resolution of the City Council in accordance with the municipal code of Thompson Falls and the laws of the State of Montana. Any such resolution modifying the rate schedule shall also provide for amendment of these regulations to reflect the new rate schedule.

WATER USE RESTRICTIONS

Section 1. Authority to Regulate- The mayor and city Public Works Director shall have the authority to regulate the use of water for domestic and irrigation purposes by persons connected to the city water system.

Section 2. Filing, Publication and Posting of Regulations- Any restrictions imposed by the mayor and/or city Public Works Director shall become effective immediately and shall be in written form filed in the office of the city clerk-treasurer immediately thereafter. The restrictions shall be published in the next issue of the Sanders County Ledger. The clerk-treasurer shall also post the restrictions at the official posting places. (City Hall, Sanders County Court House, Valley Bank, City Library & First Security Bank)

DISCRETIONARY ACTION BY THE COUNCIL

Section 1. Meter Reading Unavailable - Whenever meter readings for any billing period are unavailable, whether due to meter malfunction, weather conditions, or other cause, water bills shall be calculated on the basis of an average monthly seasonal consumption rate for the premises. If such average rate is unavailable or is not reasonably applicable, the billing shall be estimated from a comparison with similar households or businesses in the community. At such time as, normal monthly readings can be obtained the actual metered rate will be reinstated.

Section 2. Excessive Water Use from Mechanical Malfunction - If the City Council shall determine after consultation with the water Public Works Director, that during any billing period there was extraordinary water consumption on any premises by reason of broken pipes, faulty toilet seals, or other similar cause and that the excessive water use was unknown to the consumer and was promptly corrected upon discovery, the City Council shall have the authority to adjust the water bill for said billing period by deducting the portion of the bill estimated to result from mechanical failure or leakage. Only one such adjustment may be made to a property and its current owner.

SEWER SYSTEM AND PRIVATE WASTEWATER DISPOSAL REGULATIONS THOMPSON FALLS, MONTANA GENERAL PROVISIONS

Section 1: Authority - The following regulations governing the sewer system and private wastewater disposal in the City of Thompson Falls have been adopted by resolution by the City Council of Thompson Falls pursuant to the authority granted by Section 69-7-210, M.C.A. These regulations are set apart from the existing City Code pertaining to sewer and septic systems. This separation is:

- (1) for ease of access by the public to the rules applying to sewer and septic systems in Thompson Falls, and
- (2) for ease of the City Council to revise sewer rates from time to time.

These regulations do not supersede the City Code, but must be read together with the Code.

Section 2: Service Area - The service area of the Thompson Falls Sewer System shall be all of that area of the City within its corporate limits.

Section 3: Users Responsibility-

- A. All property owners using the Thompson Falls wastewater system must sign an affidavit stating that they have read and understand what can and cannot be disposed of in the sewer system. Also, their liability if the regulations are not followed.
- B. Wastewater user that have grinder pumps, will receive a user's manual and also sign that they understand the regulations and liabilities for proper grinder pump use.
- C. It is the property owners responsibility to inform renters, of their property, what cannot be disposed of in the wastewater system.

Section 4: Service Connection – Any person desiring the extension of a new sewer service for premises within the service area of the Thompson Falls sewer system shall complete an application to the City office at City Hall for a service connection and shall pay a connection fee at the time application is made. The connection fee pays for the City to install a service connection on the main and the cost of inspection of the sewer line. The connection fee is for a 4" tap. Any larger taps are charged extra for the additional cost to the City. The customer is responsible for the excavation from the point of intended use to the main. Restoration of the excavated area in the public right-of-way is the responsibility of the customer. All work done in the public right-of-way shall be done by a licensed and insured contractor and in accordance with City standards and Montana Public Works Standard Specifications. Such plumbing shall not be installed unless the City Water/Sewer Utility has received at least twenty-four hours advanced notice of the time and manner of proposed installation. All connections shall be made under the supervision of the City Water/Sewer Utility and no connection shall be covered until the work has been inspected by the City Water/Sewer Utility. Coordination should be afforded so the city's service line and the property owner's line are compatible. No sewer service may be obtained for a property except by the owner of the property, as listed on Sanders County tax rolls.

Any person, firm, or corporation on property located outside of incorporated City limits may be required by the City, as a condition to initiate sewer service, to consent to annexation of the tract of property to be served by the City. *See Mont. Code Ann. § 7-13-4314; § 69-7-201 (2015).*

Section 5: Extensions- Any extensions of a wastewater main into any new subdivision or annexed property shall be engineered, designed, inspected and have approved construction by the City Engineer. The cost of the City Engineer and any inspection will be reimbursed to the city by the party requesting the extension of the wastewater main. Construction and

materials for wastewater main line extensions requested by a developer of an annexed property or property owner, are to be paid by the developer or owner and the wastewater main line will become property of the City upon completion and acceptance by the City Engineer. An easement of 10ft. on each side of the main line shall be given to the City of any main line extensions and no development may happen on those easements.

Section 6: Plumbing – No new service connection to the sewer system shall be made for premises in which the plumbing does not comply with the requirements of the building and plumbing code in effect at the time of the performance of such activity and as adopted by the State of Montana.

Section 7: Tampering – No person shall tamper with, alter or damage any part of the city sewer system.

Section 8: Repairs – Owners of the premises served shall keep the drain pipes and plumbing in good repair and shall prevent the leakage of sewage from drain pipes. They shall be liable to the City of Thompson Falls for failure to do so. All repairs for drain pipes and plumbing systems within the boundaries of premises serviced by the sewer system shall be made at the expense of the owners of the premises served. The City may, in the case of an emergency, repair any drainpipes and the owner of the premises served shall reimburse the City such repair work.

Section 9: Grinder Pumps-

- A. Grinder pumps will be pulled and refurbished on a 5 to 6-year rotating schedule by the City.
- B. Grinder pumps are only to be worked on, replaced or repaired by the City. No homeowners, renters or private contractors are to do anything with a grinder pump unless approved in writing by the Director of Public Works.
- C. Homeowners will be notified when the grinder pumps are to be repaired or pulled and when the work is done.

Section 10: Septic Waste – No person shall introduce into the sewer system or discharge directly into the sewage treatment lagoon any septic sewage which comes from or is generated by individual septic tanks, recreational vehicles, camper trailers, cesspools, or other private sewage disposal systems.

Section 11: The Use of Public Sewers –

A. Unpolluted Drainage: No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to the City sewer. After the effective date hereof, no new clear water connection from roof drains, storm drains or otherwise shall be made to the City wastewater sewer.

B. Use of Storm Sewer Required: Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Public Works Director and the state department of health. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Public Works Director, to a storm sewer or natural outlet.

C. Prohibited Discharges: No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

- 1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

2. Any liquids containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal system, to damage or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.
3. Any glass, metal, gravel, sand, aquarium stone, coffee grinds, seafood shells, socks, rags or cloths, plastic, sanitary napkins or tampons, disposable diapers, kitty litter, explosives, flammable materials, lubricating oil, grease, paint, large amounts of cooking oil, strong chemicals, gasoline or diesel, stormwater runoff, and personal wipes (and other products marked "flushable")
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
5. Any prohibited discharge of toxic pollutants which cause an increase in the city's cost of managing the effluent or the sludge of the City treatment works shall result in the increased costs being assessed to the responsible party.

D. Harmful Materials/Substances: The following described substances, materials, waters or wastes shall be limited in discharges to the City sewer to concentrations or quantities which will not harm either the sewers, the sludge of the system, the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Public Works Director may set limitations lower than the limitations established in the regulations in this subsection if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Public Works Director will give consideration to such factors as: 1) the quantity of subject waste in relation to flows and velocities in the sewers, 2) materials of construction of the sewers, 3) the wastewater treatment process employed, 4) capacity of the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Public Works Director are as follows:

1. Wastewater having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).
2. Wastewater containing more than twenty-five milligrams per liter (25 mg/l) of petroleum oil non-biodegradable cutting oils or product of mineral oil origin
3. Wastewater from industrial plants containing floatable oils fat or grease
4. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

5. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Public Works Director for such materials
6. Any waters or wastes containing odor producing substances exceeding limits which may be established by the Public Works Director.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Public Works Director in compliance with applicable state or federal regulations.
8. Quantities of flow, concentrations or both, which constitute a "slug" as defined in the City Code (9-2-1). A "slug" is defined as any discharge of water or wastewater which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system or performance of the wastewater treatment works.
9. Waters or wastes containing substances which are not amendable by treatment or reduction by the wastewater treatment processes employed or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
10. Any water or wastes which may interact with other water or wastes in the public sewer system, release noxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

E. Authority To Reject, Require Pretreatment, Or Control Quantity: If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection C or D above, and which in the judgment of the Public Works Director may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Public Works Director may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

If the Public Works Director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Public Works Director and the state department of health.

F. Interceptors Required:

1. Required: Grease, oil and sand interceptors shall be provided when, in the opinion of the Public Works Director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in subsection 03 of this section, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units.
2. Type; Capacity; Location: All interceptors shall be of a type and capacity approved by the Public Works Director and the state plumbing code and shall be located as to be readily and easily accessible for cleaning and inspection.
3. Collected Materials; Records: In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal which are subject to review by the Public Works Director. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.
4. Maintenance: Where pretreatment or flow equalization facilities are provided or required for any waters or wastes they shall be maintained continuously in satisfactory and effective operation by the owner at his expense

Section 12: Inspectors-

A. Right of Entry: The Public Works Director and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the City sewer.

B. Safety Rules; Indemnification: While performing the necessary work on private properties referred to in subsection A of this section, the Public Works Director or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the city employees, and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in subsection 9-2-5G of this chapter.

C. Access to Easements: The Public Works Director and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Section 13: Outdoor Privies, Prohibited- No person shall erect or maintain an outdoor privy or privies within the City.

Section 14: Private Wastewater Disposal –

- A. Public Sewer Unavailable: Where a public sanitary sewer is not available, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- B. County Permit Required: Before commencement of construction of a private wastewater disposal system, the owner shall first make application to the Sanders County Sanitarian and obtain a written permit signed by the Sanitarian or designated agent. The application, fees, procedures and all administration shall be conducted through the Sanders County septic regulations.
- C. Inspection: A permit for a private waste disposal system shall not become effective until the installation is completed in accordance with the Sanders County septic regulations.
- D. The type, capacities, location and layout of a private wastewater disposal system shall comply with current septic regulations of Sanders County.
- E. Public Sewer Becomes Available: At such time as a public sewer becomes available to a property served by private wastewater disposal system, a direct connection shall be made to the public sewer within one hundred twenty (120) days, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material at no expense to the city.

Section 15: Costs for unauthorized materials-

Any property that releases any prohibited substances into the City of Thompson Falls Wastewater System and causes damage to the system, the property owner, will be held monetarily responsible for any costs needed to repair the system. Any property that releases any prohibited substances that damages a grinder pump, the property owner, will be held monetarily responsible for replacement of the grinder pump. These costs can be placed as a lien against the property where the prohibited discharge took place.

SEWER RATES

Section 1. Rate Schedule - The following schedule of rates based on meter readings shall be charged for City of Thompson Falls water service:

SEWER

New Wastewater Rate. The City's monthly base rate for the Wastewater System is calculated by determining an amount per EDU sufficient to pay Wastewater System debt service and reserve costs, plus a portion of the operation and maintenance costs. The new monthly rate will be as follows:

RESIDENTIAL: ¾ INCH WATER LINE

Base rate is \$58.00, with 2,000 gallons included. This shall increase to \$58.50 on January 1, 2022, then to \$59.00 on January 1, 2023, and to \$59.50 on January 1, 2024.

Charge \$4.10 for each 1,000 gallons used per month after 2,000 gallons per month.

COMMERCIAL: ¾ INCH WATER LINE

Base rate is \$63.00, with 2,000 gallons per month included. This shall increase to \$63.50 on January 1, 2022, then to \$64.00 on January 1, 2023, and to \$64.50 on January 1, 2024.

Charge \$4.10 for each 1,000 gallons used per month after 2,000 gallons per month.

Rental Units—Sewer Charge

A residential connection with additional separate rental(s) shall be charged the base rate of \$58.00 per month for the first user and \$58.00 per month for each additional rental unit with 2,000 gallons per month for each unit included in the base rate. These respective base rates shall increase to \$58.50 on January 1, 2022, then to \$59.00 on January 1, 2023, and to \$59.50 on January 1, 2024. Charge \$4.10 for each 1,000 gallons used per month after 2,000 gallons per month.

The minimum monthly charge is determined by multiplying the base rate by the EDU Multiplier associated with the water line size as described above for water. The minimum monthly base charge is based on an average usage from November to May.

Meter Size	Multiplier
3/4"	1
1"	1.79
1 1/2"	4
2"	7.14
3"	16
4"	28.57

Thompson Falls Municipal Sewer Rates

\$4.10/1,000 Gallons over 2,000 Gallons

\$2,000.00 Connection fee

\$50.00 Maintenance and repairs after regular business hours

\$15.00 Delinquent Notice Charge

\$5.00 Delinquent Charge After Payment Due Date

\$30.00 NSF Checks

Rental Units - Sewer Charge

A residential connection with additional separate rental(s) shall be charged the base rate of \$58.00 per month for the first user and \$58.00 per month for each additional rental unit with 2,000 gallons per month for each unit included in the base rate. Charge \$4.10 for each 1,000 gallons used per month after 2,000 gallons per month.

Section 2: Modification of Rate Schedule-The foregoing rate schedule may be amended from time to time by resolution of the City Council in accordance with the City code of Thompson Falls and laws of the State of Montana. Any such resolution modifying the rate schedule shall also provide for amendment of these regulations to reflect the new rate schedule.

Section 3: Foreclosed Properties – If a property is Foreclosed the Foreclosing Company shall:


1. Pay the bill in full
2. Notify the City to turn off the services after the account is showing zero usage. Vacation rate charges have to be applied for and will accrue until the property is bought by a new owner/customer.
3. The new owner/customer will pay a \$50.00 turn on fee and all accrued charges to have the services turned on.

AUTHORITY

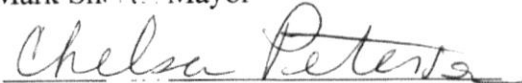
Section 1. Authority to Amend Regulations - The City Council of Thompson Falls expressly reserves the right to amend these regulations at any time with a majority vote of the council and at a properly noticed meeting.

The foregoing Regulations were adopted by the City Council on April 10, 2023. The regulations are all inclusive and supersede all prior enactments of the City Council.

IN WITNESS WHEREOF the City Council of Thompson Falls, Montana passed and approved the foregoing regulations effective the 10th day of April, 2023.



Mark Shortt, Mayor

Attest: 

Chelsea Peterson, City Clerk/Treasurer



ANIMAL KEEPING PERMIT/APPLICATION

City of Thompson Falls
108 Fulton Street, Thompson Falls, MT 59873
406-827-3557

Applicant: _____ Phone #: _____

Physical Address: _____

Mailing Address: _____

Date: _____

Annual Permit Fee: \$10.00(per animal type) _____ Paid _____ New _____ Renewal _____

Total number of animals: _____

Statement of Purpose (ie. Egg production, meat production, both, neither, pet) _____

*** Application for animal permits shall authorize periodic inspections by the animal control officer to insure compliance with the code and insure the health and welfare of the animals.**

*** Only one permit shall be issued per household.**

*** The structure and surround shall adhere to the Setback Ordinance #324.**

I have received and reviewed Ordinance No. 350, regulating the keeping of up to eight (8) female chickens, eight (8) ducks, twenty (20) Coturnix Quail, and five (5) adult rabbits (3 does and 2 bucks) in the City of Thompson Falls and Ordinance No. 324, Setback Ordinance.

I agree to abide by and accept all the provisions of said Ordinance.

Applicant Signature

Date: _____

City Clerk/Treasurer or Assistant Clerk Signature

Date: _____

Ordinance No. 350



An ordinance amending Ordinance 332, to allow for the keeping of up to eight (8) female chickens, eight (8) ducks, twenty (20) Coturnix Quail, and five (5) adult rabbits (being three (3) does and two (2) bucks) in the city of Thompson Falls, MT, and providing a penalty for violation thereof.

Be it ordained by the City Council of Thompson Falls, Montana:

Section 1. Purpose. Ordinance No. 332 of the City of Thompson Falls, Montana (dated March 15, 2011) is hereby amended to allow for the keeping of up to eight (8) female chickens, eight (8) ducks, twenty (20) Coturnix Quail, and five (5) adult rabbits (3 does and 2 bucks).

Section 2. Conditions of having chickens, ducks, Coturnix Quail in the City Limits. Chickens, ducks, or Coturnix Quail within the city limits of the City of Thompson Falls shall be kept in the following manner:

- A. The chickens, ducks, and Coturnix Quail must be kept on a single-family parcel(s) and may be kept on a parcel(s) under one ownership with more than one dwelling if all residents and the owner consent in writing to allowing them on the property. When chickens, ducks, or Coturnix Quail are kept on a multi-dwelling parcel(s) the owner shall keep a copy of the signed approval document for inspection upon request by animal control personnel.
- B. The owner must obtain an annual permit from the City Clerk. The permit shall be per the fee schedule of the city of Thompson Falls. Chickens, ducks, and Coturnix Quail require separate permits.
- C. Chicken, duck, Coturnix Quail requirements:
 - (1) The chickens, ducks, or Coturnix Quail shall be provided with a covered, predator proof chicken, duck, Coturnix Quail house that is thoroughly ventilated, of sufficient size to allow free movement of the chickens, ducks, or quail, designed to be easily accessed, cleaned, and maintained by the owners and be at least 2 square feet per chicken or duck and 1 square foot per quail in size. House must allow space for food and water bowls.
 - (2) Chickens and ducks shall be confined to the enclosure at night, from sunset to sunrise. Coturnix Quail are to remain in their enclosure throughout the day and night.
 - (3) During daylight hours, chickens and ducks will have access to the chicken or duck house and, weather permitting, shall have access to an outdoor enclosure on

the owner's property, which will be adequately fenced to contain the chickens or ducks to prevent access to chickens or ducks by dogs or other predators.

D. Rabbit Requirements:

- (1) The rabbits shall be provided with a predator-proof rabbit hutch that is thoroughly ventilated, of sufficient size to allow free movement of each rabbit housed, allowing rabbits to lie with legs stretched, and allowing for litter trays, and food and water bowls. Hutch size requirements will depend on size of rabbits based on breed and number of rabbits housed. Hutch size must be long enough to allow rabbits to take at least 3-4 hops without bumping noses on the end. Hutch must be designed to be easily accessed, cleaned, and maintained by owners.
 - (2) The rabbits shall not be allowed to run free on the owner's premises or access adjoining property.
 - (3) The owner must obtain an annual permit from the city clerk. The permit for rabbits shall be per fee schedule of the City of Thompson Falls.
- E. No chicken, duck, Coturnix Quail, or rabbit house/hutch shall be located closer than 20 feet to any residential structure occupied by someone other than the chicken, duck, Coturnix Quail, or rabbit owner, custodian, or keeper.
- F. Stored feed must be kept in a rodent and predator-proof container.
- G. Remains of butchered animals or fowl are to be disposed of in enclosed garbage cans or taken to refuse facility. Remains are not to be retained at a residence long enough for noxious odors to occur which could attract animals or be noticed by neighbors.
- H. Butchering is not to be done within view of the public.
- I. It is unlawful for the owner, custodian, or keeper of any chicken, duck, Coturnix Quail, or rabbit to allow them to be a nuisance to any neighbors, including but not limited to: noxious odors from their enclosure; noise of a loud, persistent, and habitual nature. Animal Control will determine whether or not a nuisance exists on a case by case basis.

Section 3. Notice of Violation and Order to Take Corrective Action. Upon receiving a complaint of a possible violation, Animal Control will investigate and determine if a violation exists. When Animal Control determines a violation of the Code has occurred, Animal Control May issue written "Notice of Violation and Order to Take Corrective Action" to the owner, custodian, or keeper, either personally or by certified mail. Such notice shall specify the provision or provisions alleged to have been violated, along with a short and plain statement of the facts that constitute the violation. Animal Control will revisit the owners address within 10 days of issuing the notice of violation. If the owner, custodian, or keeper has failed to comply with the "Notice of Violation and Order To Take Corrective Action", Animal Control may issue a citation to the owner, custodian, or keeper for failure to comply with the "Notice of Violation and Order To Take Corrective Action" as well as failure to comply with any other applicable requirement of this ordinance.


Section 4. Penalty – Fines. The City Judge of Thompson Falls shall assess animal violation fines. An owner, custodian, or keeper of a chicken, duck, Coturnix Quail, or rabbit who is found guilty of any provision of this ordinance shall be guilty of a misdemeanor and fined an amount not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00). Failure to comply with a properly issued “Notice of a Violation and Order to Take Corrective Action” shall be counted as a separate offense from a citation issued after the compliance date described in the order. Each day an offense exists shall constitute a separate offense pursuant to this ordinance.


Section 5. Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Severability. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance that can be given effect without such invalid part or parts.

Section 7. Effective Date. The ordinance shall be in full force or effect thirty (30) days after its final adoption, passage, approval, recording and publication as provided by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF APPROVED BY THE CITY OF THOMPSON FALLS, MONTANA, AT A REGULAR SESSION THEREOF HELD ON THE JUNE 30, 2021.


Mark Sheets, Mayor

Attest: 
Chelsea Peterson, City Clerk/Treasurer



CITY OF THOMPSON FALLS

APPLICATION/PERMIT FOR RECREATIONAL VEHICLE

Name: _____

Mailing Address: _____

Address of Camper Location: _____

Phone Number: _____

Vehicle License Plate #, Make, Model and VIN#:

Length of Stay:

Sewage Plan:

I have read Ordinance #348 and agree to all of the terms and regulations. Yes _____ or No _____

I agree my camper tanks are empty. Yes _____ or No _____

I certify that all information provided is true and correct and hereby make application to the City of Thompson Falls to place improvements on the property described herein.

Signature of Applicant

Date

APPROVAL: _____ DATE: _____

\$30.00 TOTAL PERMIT FEE PAID: \$ _____

CHECK # _____ CASH _____ OTHER _____

This permit shall be displayed in a visible place on the building site until the project is completed.

ORDINANCE NO. 348



AN ORDINANCE ADOPTED FOR THE REGULATION OF STORAGE, MAINTENANCE AND OCCUPATION OF RECREATIONAL VEHICLES WITHIN THE CITY OF THOMPSON FALLS

WHEREAS, the City of Thompson Falls has determined in order to preserve and protect the health and safety of its citizens, minimum standards, provisions, and requirements shall be established by the city for storage, maintenance, and occupation of recreational vehicles located within the city of Thompson Falls.

BE IT ORDAINED AS FOLLOWS BY THE CITY OF THOMPSON FALLS, MONTANA:

1. No person shall place, keep, maintain a recreational vehicle, camper, or trailer on any street, alley, or lot as a residence or temporary living accommodation, within the corporate limits of the city for more than 30 days, except in a licensed trailer court or as otherwise stated below.
2. Recreational vehicle means a vehicular unit designed as temporary living quarters for recreation, camping, travel, seasonal or temporary use, with or without motive power or is mounted on, or towed by, another vehicle. Such vehicles are not limited to camping trailers, fifth-wheel trailers, motor homes, park trailers, travel trailers, and truck campers. Unoccupied recreational vehicles in long term or temporary storage are not included in this ordinance if they are operable, licensed, and legally parked, or stored on private property.
3. The following rules are hereby adopted and apply to recreational vehicles as described above:
 - a. A recreational vehicle used by the occupant while employed by a private company, a recreational vehicle occupied during construction (including remodeling or reconstruction of a residence or commercial building containing a residence), or a recreational vehicle used in the city for employment purposes within the city limits shall obtain a temporary occupancy permit from the City and may not be occupied until permit is issued.
 - b. Permits for temporary recreational vehicle occupancy must be filed in writing with City clerk on approved City form containing the following information: Location where recreational vehicle is to be temporarily occupied, make, model, license plate number, VIN number, length of occupation.
 - c. Recreational vehicles to be occupied must comply with the Community Decay Ordinance (Ordinance 345) adopted by Thompson Falls, Montana.

- d. Vehicles must be connected to city water and sewer or applicant must disclose on the permit where sewage or waste water generated in the recreational vehicle will be disposed. Disposal of sewage and waste water must be at an approved, permitted facility located within the county.
 - e. Applicant will pay a permit fee specified in the Fee Schedule Resolution as part of permission request to reside temporarily in recreational vehicle. Permit will be valid for 30 days. Extensions of 30 days must be requested prior to expiration of current permit and must provide reason for requesting extension of time. Extensions shall be approved on a case by case basis by the Mayor.
4. A violation of this ordinance will be a civil matter enforced in accordance with the provisions 7-1-4150 MCA. A civil penalty of \$100 will be imposed for initial violation of this ordinance. Penalty for second offense within a six-month period will be \$200, and the penalty for subsequent offenses within a six-month period will be \$500. The civil penalty for ongoing offenses outside the six-month timeframes previously referenced shall not exceed \$500 for each repeat violation. This ordinance will be enforced by the City Attorney, who will issue a civil citation to individual(s) violating the ordinance. Citation may be served by personal service, certified mail addressed to owner of recreational vehicle at last known mailing address with return receipt requested, or by publication. A copy of the issuing citation must be retained by the issuing officer and one copy must be sent to the clerk of the city court. The citation must serve as notification that a municipal infraction has been committed and must contain the information contained in §7-1-4150(4) MCA.

This ordinance shall be read at the City Council meetings of September 14, 2020 and October 13, 2020, and, if adopted, shall become effective thirty (30) days after second reading and final adoption. Upon the effective date of adoption, no recreational vehicle may be occupied as a residence for more than 30 days unless properly permitted.

ADOPTED BY THE TOWN COUNCIL OF THE CITY OF THOMPSON FALLS AS FOLLOWS:

First reading: _____ ayes _____ nays _____ abstentions

Second reading: _____ ayes _____ nays _____ abstentions

Effective Date: November 12, 2020

Mark Sheet, Mayor

Attest: _____
Chelsea Peterson, Clerk/Treasurer

CITY OF THOMPSON FALLS DOG LICENSING



The complete dog code is located at the City Office at 108 Fulton St Thompson Falls, Montana

406-827-3557

The dog owner has 72 hours to redeem the dog or it may be subject to a humane disposition. The owner is responsible for all costs incurred for the animal while it is impounded.

PENALTIES

Minimum fines for violations of the City Dog Ordinance are as follows:

1st Offense-----\$50.00

2nd Offense-----\$75.00



Any sums due for payment of required license fees and boarding costs shall also be payable at the time of payment of the fine if not already paid.

LICENSE AND REGISTRATION

A person keeping, harboring or maintaining a dog over **five months** of age in the City of Thompson Falls must register and license the dog.

LICENSE FEES

Annual license fees are **\$5.00** for unneutered male and unspayed female dogs.

Annual license fees are **\$5.00 for neutered** male and spayed female dogs.

Replacement tags are **\$1.00**

ALL DOGS MUST HAVE A RABIES VACCINATION. Proof is required.

Annual licenses expire on December 31st each year. If a dog is kept, maintained or harbored in the City of Thompson Falls **after Feb. 15th** and the owner did not obtain a license, the license fee **will increase by \$20.00**. The late fee does not apply to dogs obtained after the Feb. 15th deadline.

TAGS AND COLLAR

Any dog found off the owner's premises without a license tag will be considered unlicensed.

License tags are **not** transferrable from one dog to another and it shall be unlawful for any person to cause or permit a license tag to be placed upon a dog for which it was not issued.

Any dog found with a license issued to another dog shall be deemed to be not licensed. No refund shall be made on any dog license fee due to the death of the dog or the owner leaving town before the expiration of the license period.

DOGS RUNNING AT LARGE

Dogs running at large within the city limits of Thompson Falls are a nuisance, harmful to property, and an interference in the orderly administration of the school systems and the conduct of affairs with the city and is hereby prohibited. No person owning or having the control or possession of a dog shall permit such dog to be at large within the city limits at any time.

"At Large" shall mean off the premises of the owner and not under the immediate control of the owner or a member of his family either by leash, cord or chain not to exceed six feet in length. Any dog not so restrained shall be considered to be at large except those dogs which are at all times at the obedience of their master by being confined within a vehicle or by being "at heel" shall not be considered "at large".

IMPOUNDMENT AND REDEMPTION

Unlicensed dogs found to be at large and not under restraint may be impounded by any means deemed effective and appropriate by the enforcement officer.

The owner of an impounded dog may redeem said dog by paying the license fee, if appropriate, and an impoundment fee.

CITY
OF
THOMPSON
FALLS

BURNING
REGULATIONS

BURNING SEASON:

SPRING:

MARCH, APRIL

FALL:

SEPT, OCT & NOV

SUMMER:

(as conditions allow)

Per Forest Service

PERMIT REQUIRED IF
FIRE LARGER THAN 4' X 3'

PERMITS AVAILABLE
AT CITY OFFICE
Mon-Fri 9am-5pm

For information call
827-3557



ORDINANCE NO. 330

AN ORDINANCE TO AMEND ORDINANCE NO. 312 REGULATING OUTDOOR BURNING IN THOMPSON FALLS, MONTANA, AND REQUIRING THE ISSUANCE OF A PERMIT FOR CERTAIN BURNING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THOMPSON FALLS:

SECTION 1. Definitions.

- A. "Burn Permit" means a permit for outdoor burning issued by the Thompson Falls Fire Department.
- B. "Residential Burning" means the burning of small outdoor fires consisting of leaves, grass, pruning's and other yard and gardening refuse burned on lands immediately adjacent to and in close proximity to a human dwelling by the property owner or his designees. No garbage, railroad ties or tires may be burned. A small firepit shall be allowed.

SECTION 2. Residential Burning. There shall be no outdoor burning within the city, except residential burning which may be permitted only under the conditions set out in this ordinance.

SECTION 3. Permit. A fire permit must be obtained prior to the commencement of any residential burning larger than four feet (4') in diameter and three feet (3') in height. Any fire permit so obtained may be cancelled by the Thompson Falls Fire Department upon its finding that this chapter is not complied with or that the residential burning causes a hazard or a nuisance. Upon the cancellation of a fire permit, any fire started pursuant to that permit shall be extinguished immediately.

SECTION 4. Precautions. The following precautions shall be taken:

- A. The fire shall be attended at all time.
- B. Sufficient means to extinguish the fire shall be provided at all times, i.e. Water, shovel, bucket, etc.
- C. No fire shall be started earlier than ten o'clock a.m., nor burned after sundown except for firepits.
- D. No fire shall be closer than ten feet (10') to any structure.
- E. No fire shall endanger persons or property.
- F. The property owner shall be responsible should the fire cause damage to other property or if the Fire Department must be called out. Property owner may be billed at the discretion of the Fire Chief or his designated representative.
- G. Open burning shall comply with all Forest Service regulations and dates..
- H. This permit covers pile burning only. Lot burning must be inspected and specifically approved by the Fire Chief.

SECTION 5. Prohibited. The burning of any material not described in Section 1B is prohibited.

SECTION 6. Violation - Penalty. Any person who violates or fails to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor.

SECTION 7. Ordinances in Conflict. All ordinances or part of ordinances in conflict herewith are hereby repealed.

SECTION 8. Invalidity. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 9. EMERGENCY. An emergency exists in that the present health, safety and welfare of the citizens of the city of Thompson Falls demand the immediate passage of this ordinance, and it shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THOMPSON FALLS, MONTANA THIS 13th day of September, 2010.

BURN PERMIT / APPLICATION

City of Thompson Falls

Fee: \$10.00

Applicant: _____ **Phone #:** _____ **Address:** _____

Burn Date: _____ Alternate Date: _____

Burn location if different than above: _____

I have received and reviewed Ordinance No. 330, regulating outdoor burning in Thompson Falls.

I agree to abide by and accept all the provisions of said Ordinance.

Applicant Signature Date: _____
Neil Harnett, Thompson Falls Fire Chief or Nate Saint, Asst. Fire Chief

Copy to Fire Chief _____ Copy to Applicant _____ Original to City Clerk _____
RCVD BY: _____ DATE: _____ RCVD BY POLICE: _____ DATE: _____ INSPECTION DATE: _____

BURNING SEASON YOU MUST CALL DEQ AT 1-800-225-6779 OR CHECK THEIR WEBSITE AT WWW.SMOKEU.ORG BEFORE BURNING WITHIN THE CITY LIMITS. Permit must be presented at burn site upon request. Permit not valid until approved.