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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 1<sup>st</sup> 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 1<sup>st</sup> 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 he excessive water use was unknown to the consumer and was promptly corrected upon discover, 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.