

RULES AND REGULATIONS



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BIGFORK COUNTY WATER AND SEWER DISTRICT

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**RULES AND REGULATIONS
BIGFORK COUNTY WATER AND SEWER DISTRICT**

AN ORDINANCE ESTABLISHING THE RULES, REGULATIONS, AND SERVICE CHARGES FOR THE BIGFORK COUNTY WATER AND SEWER DISTRICT.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE BIGFORK COUNTY WATER AND SEWER DISTRICT THAT AN ORDINANCE REGULATING THE SUPPLY OF WATER AND THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION, CONNECTION AND EXTENSION OF WATER DISTRIBUTION LINES AND BUILDING SEWERS, THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER SYSTEM, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, SERVICE CHARGES FOR CUSTOMERS LOCATED WITHIN THE WATER SERVICE AREA AND A PROCEDURE FOR DETERMINING SERVICE CHARGES TO BE LEVIED ON THE OWNERS LOCATED IN THE BIGFORK COUNTY WATER AND SEWER DISTRICT, COUNTY OF FLATHEAD, STATE OF MONTANA, BE ADOPTED AS FOLLOWS:

SECTION I - DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

“Act” or “The Act” means the Federal Water Control Act, 33 U.S.C. 1251, et seq., also known as the Clean Water Act, as amended from time to time.

“Biochemical Oxygen Demand” (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade, expressed in milligrams per liter.

“Board” shall mean the board of directors of the Bigfork County Water and Sewer District.

“Building Drain” shall mean that part of the lowest horizontal piping of a drainage system, which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner faces of the building wall.

“Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal (also called house connection).

“Chlorine Demand” means the amount of chlorine required to produce a free chlorine residual of 0.1 mg/l after a contact of fifteen (15) minutes as measured by the DPD (N, N, Diethyl-P-Phenylene-Diamine) Method on a sample at a temperature of twenty degrees (20°) Centigrade in conformance with Standard Methods.

“Code” means this code of rules and regulations.

“Collection Main” or “Main” means a sewer pipe owned, operated and maintained by the District, which is used for the purpose of collecting sewage, and to which service connections are attached.

“Combined Sewer” shall mean a sewer intended to receive wastewater and storm or surface water.

“Composite Sample” means a representative flow proportioned sample collected within a twenty four (24) hour period constituting a minimum of four (4) individual samples collected at equally spaced two-hour intervals and combined according to flow.

“Conventional Pollutants” means Biological Oxygen Demand, Suspended Solids, pH and fecal coliform bacteria; plus any additional pollutants identified in the POTW’s NPDES permit.

"Customer" or "Consumer" shall mean an individual, partnership, association, firm, public or private corporation or government agency receiving water and/or sewer service from the District. In the case of a tenant/landlord relationship, the landlord is considered the customer or consumer. Residential customers are those receiving water and/or sewer service solely for domestic purposes in single-family dwelling houses. Commercial customers are those receiving water and/or sewer service for use in connection with a business, industry or commercial enterprise. Multi-family dwelling units, such as apartment houses receiving metered service through one meter are regarded as commercial customers. When a structure is used both for commercial and residential purposes, then it is regarded as a commercial customer.

"Developer" means any person, firm, corporation or other entity that causes improvements to be made upon its land owned by him, which requires water and/or sewer service.

"Discharger" means any person who discharges or causes the discharge of wastewater to the POTW.

"District" shall mean the Bigfork County Water and Sewer District.

"Domestic Sewage" is defined as the liquid waste conducted away from any building, which contains organic matter (association with products consumed by humans).

"Dry Well" shall mean a fully enclosed, atmospherically controlled, separate structure housing sewer pumps, controls and other appurtenances.

"Extension Agreement" means an agreement between the District and a Developer which allows the Developer to connect his water and/or sewer line onto a main owned by the District, to obtain water and/or sewer service. The Agreement shall set forth the value of the extended main and the charges which customers connected to the main must pay to the Developer or the District. Every Extension Agreement must be approved by the Board and signed by the Chairman and Secretary of the District and the Developer.

"Fats, oil, or grease (FOG) or Food Grade Oil & Grease (FGOG)" shall mean any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other material that is extracted by hexane extractable solvent, as specified in standard methods 1661.

(This definition has changed. The old method for testing for O/G used Freon, a banned CFC. Now the method uses hexane for analyzing for oil and grease.

Floatable oil limitations do not address o/g and other organics that have been dissolved, i.e. dissolved by detergents. Once the dissolved o/g gets to the POTW it comes out of solution and may cause interference)

"Flow" means volume of wastewater.

"Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

"General Manager" means the person employed by the District to operate and oversee the Water and Wastewater systems.

"Grab Sample" means a sample, which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

"Holding Tank Sewage" means any wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, sealed vaults, and vacuum-pump trucks.

"Industrial Wastes" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

"Interference" means the inhibition or disruption of the POTW treatment processes or operations, which contributes to a violation of any requirements of the POTW's NPDES permit. The term includes prevention of sludge use or disposal by the POTW in accordance with the Act, or any criteria, guidelines or regulations developed pursuant to the SWDA, the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria applicable to the method of disposal or use employed by the POTW.

"Lift Station" shall mean that combination of wet well and dry well specifically designed to pump sewage.

"National Pollutant Discharge Elimination System (NPDES) Permit" means a permit issued under the National Pollutant Discharge Elimination System for Discharge of Wastewaters to the Navigable Waters of the United States pursuant to the act

"Natural Outlet" shall mean any outlet, including storm sewers other overflow system, into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.

"Non-Primary Residence" shall mean a building occupied less than six months of a calendar year.

"Owner" means any person, firm, corporation or other entity owning land in the district. A purchaser under a contract for deed shall be considered the owner of the land.

"Person" shall mean any individual, partnership, company, association, society, corporation or group.

"pH" shall mean the logarithm of the reciprocal of the hydrogen-ions concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

"Point of Delivery" means the point at which the customer's service pipe connects with the District main.

"Pollutant" means dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, or any industrial, Municipal, or agricultural waste.

"Pretreatment or Treatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants propertyed in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

"Pretreatment Requirements" means any substantive or procedural requirements related to pretreatment, other than national pretreatment standard imposed on an industrial user.

"Pretreatment Standards" means all applicable Federal rules and regulations implementing section 307 of the Act, as well as any non-conflicting State or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

"Primary Residence" shall mean the building occupied six months or more of a calendar year.

"Private Wastewater System" shall mean any sewage system, which is not hooked to the public sewer.

"Private Water System" shall mean any water well system, which is not hooked to the District water distribution system or not owned by the district.

"Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than 1/2 inch in any dimension.

"Public Sewer" shall mean the sewer system controlled and operated by the District.

"Publicly Owned Treatment Works (POTW)" means the wastewater system owned by Bigfork water and Sewer. This definition includes any sewer that conveys wastewater to the POTW treatment plants, except private sewers. For the purpose of this Code, POTW shall also include any sewers that convey wastewater to the POTW from persons outside the POTW boundaries who are by contract or agreement with the POTW actually users of the POTW.

"Receiving Water" means lakes, rivers, streams or other watercourses, which receive, treated or untreated wastewater.

"Receiving Water Quality Requirements" means requirements for the wastewater treatment plant effluent established by applicable State or Federal regulatory agencies for the protection of receiving water quality. Such requirements shall include effluent limitations, and waste discharge standards, requirements, limitations, or prohibitions, which may be established or adopted from time to time by State or Federal laws or regulatory agencies.

"Sanitary Sewer" shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

"Service Agreement" means the agreement or contract between the District and the customer pursuant to which water and/or sewer service is supplied and taken.

"Service Area" means the area defined by boundaries as shown on the attached map titled Exhibit "A" within which the District will furnish water service in accordance with the provisions of this ordinance and as amended from time to time.

"Service Connection" means the connection at the main, which connects the customer's service pipe to the public water and/or sewer main.

"Septage" means waste materials from cesspools, septic tanks or privies.

"Sewage" shall mean the wastewater of a community.

"Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.

"Service Pipe" or "Service Line" means the pipe running from the main to the customer's premises.

"Sludge" shall mean precipitated solid matter produced by water and sewage treatment process.

"Slug" shall mean 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 of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

"Standards" shall mean the specifications and general provisions for design and construction as adopted by the District from time to time.

"State" means State of Montana.

"State Waters" means any and all surface and subsurface waters, which are contained in or flow in or through this State, except waters in sewage systems, waters in treatment works or disposal systems, water in portable water distribution systems, and all waters withdrawn for use until use and treatment have been completed.

"Storm Drain" and "Storm Sewer" shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

"Suspended Solids or Total Suspended Solids (TSS)" means the total suspended matter, expressed in milligrams per liter, that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering in accordance with procedures set forth in "Standard Methods"

"Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

"User" means any person who contributes, causes or permits the contribution of wastewater into the POTW.

"Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water, and storm water that may be present.

"Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

"Wastewater Pretreatment Facility" means any arrangement of devices or structures used for treating wastewater before it is discharged into the POTW.

"Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

"Wet Well" shall mean that fully enclosed separate structure.

SECTION II - USE OF PUBLIC SEWERS REQUIRED

2.1 GENERAL REQUIREMENTS

After January 1, 1985 any privy, privy vault, septic tank, cesspool, or other individual means of sewage disposal within the District shall be discontinued from use, and shall be removed, filled or covered as the General Manager shall determine to prevent a nuisance or hazard. And it shall be unlawful to discharge any sewage or other polluted waters, except where suitable treatment has been provided in accordance with the provision of this ordinance. The owners of all buildings discharging any water (except unpolluted water) situated within the district boundaries are hereby required at their expense to connect their building sewer with the district sewer in accordance with the provisions of this ordinance within 60 days after date of notice to do so. Exception may be granted when the building is over 500 feet from a district sewer line and a nuisance is not being created. When the District sewer is extended to within 500 feet of the building, it shall then be connected to the district sewer line.

2.2 SEPARATE SERVICE CONNECTIONS

A separate and independent water and sewer line shall be provided for every building, except where one building stands at the rear of another on an interior lot and no water and sewer line is available or can be constructed to the rear building through an adjoining alley, court, or driveway. The building water and sewer line from the front building may be extended to the rear building and the whole considered as one building water and sewer line.

2.3 SEPTIC TANKS

Except as provided in this section, it shall be unlawful to construct or maintain any privy, privy vault, septic tank drain field, cesspool or other facility intended or used for the disposal of wastewater. However, a sealed vault privy may be used for non-primary residences provided the building has no indoor plumbing and does not generate wastewater. Should indoor plumbing be installed in such a structure at a later date the owner will be required to connect such facilities directly with the district sewer at the owner's expense and in accordance with the provisions of this ordinance. The sealed vault privy shall be designed and installed in accordance with Flathead County's regulations governing individual sewage systems, and the rules and regulations of the District.

SECTION III - PRIVATE SEWER DISPOSAL SYSTEMS

3.1 ALLOWANCE

Where a public sewer main is not within 500 feet of the property line, building sewer shall be connected to a private sewer disposal system complying with the provisions of this ordinance.

3.2 PERMIT

Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit from the district. The application for such permit shall be made on a form furnished by the district which the applicant shall supplement the application with any plans, specifications and other information the general manager determines as necessary. A permit and inspection fee of \$50.00 shall be paid to the district at the time the application is filed. The validity of a permit for construction of a private system will be contingent upon the issuance of a permit for the same system by the Flathead County Health Department.

3.3 INSPECTION

A permit for a private sewer system shall not become effective until the installation is completed to the satisfaction of the general manager and Flathead County Sanitarian. The general manager shall be allowed to inspect the work at any stage of construction and, in any event, the applicant shall notify the general manager when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt and maintain the private sewer disposal facilities in a sanitary manner at all times at no expense to the district.

3.4 ABANDONMENT FOR PUBLIC SEWER

At such time as a public sewer becomes available to a property served by a private wastewater system, a connection shall be made to the public sewer within sixty (60) days in compliance with this ordinance. At that time, any private sewer system shall be cleaned of septage and filled with suitable fill material as required by the General Manager.

3.5 COMPLIANCE REQUIREMENTS

The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the Montana Department of Health and Environmental Sciences and regulations for sewage treatment systems of Flathead County. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

No statement contained in this Section shall be construed to interfere with any requirements that may be imposed by the County Sanitarian.

SECTION IV - CONNECTION AND USE OF DISTRICT WATER AND/OR SEWER

4.1 STANDARD PROCEDURE

A. GENERAL INFORMATION

Water and/or sewer service will be supplied only under and pursuant to these rules and regulations and any modifications or additions made hereafter and under such applicable rate schedule as may from time to time be set by the Board.

B. APPLICATION

All owners not already hooked to the system desiring water and/or sewer service must make written application at the District Office on forms provided therefore, setting forth in the application the type of sewage to be discharged into the district sewage system and the size and type of lines to be connected. Only the record owner of the property (purchasers under a contract for deed shall be considered as the record owner) may make application for water and/or sewer service.

C. APPLICATION EXPIRATION

Applications for Service will only be issued when construction has begun or is imminent and will not be accepted early. Effective July 1, 2008: If an application is approved and not used within 6 months, the hook-up application will be voided and the fees will be refunded.

D. CONTRACTOR PROVISIONS

Applications which have been approved in writing by the General Manager, or his authorized representative, for water and/or sewer service shall constitute a right to the customer to receive water and/or discharge sewage for the purposes specified in the permit, subject to any conditions made by the district and subject to the rules and regulations of the district. Any person or contractor working on facilities owned by the District must furnish the district with a certificate of proof of Workers Compensation or a waiver of insurance from the State Compensation Division office and proof of Commercial General Liability coverage to include XC and U coverage in the amount of at least one million dollars. The certificates shall become a part of the application for hookup for water and/or sewer.

E. DECLINED APPLICATIONS

The District may decline to serve an applicant or user:

1. if the applicant or user has failed to comply with these Rules and Regulations governing water and/or sewer service, or
2. if, in the judgment of the General Manager, the applicant's or user's installation of piping, equipment or appurtenance is regarded as a potential health hazard, or (3) the applicant's or user's system could cause harmful effects to the water system or to the District's ability to satisfactorily treat such sewage within the limitations of the Bigfork sewer plant.

3. if the applicant or developer fails to provide to the General Manager, prior to any new service connection in areas not already served by the District (including, without limitation, any tap-ins the length of the transmission line from the well site to the new storage tank), written documentation from all appropriate state or federal agencies that such expansion of the District's water system will not be into or adjacent to wet lands or important farm lands as defined in Title 7, Code of Federal Regulations, Part 140, Subpart G, Exhibit A.
4. No unauthorized persons shall uncover, make any connections with or opening into or disturb any public water and/or sewer or appurtenance thereof without first obtaining a written permit from the General Manager.

4.2 SEWER CONNECTION:

A. CONNECTION CLASS

There shall be two (2) classes of building sewer permits:

- For residential and commercial service, and
- For service to establishments producing industrial wastes.

In either case, the owners shall make application on forms furnished by the District. The permit application shall be supplemented by any plans, specifications or other information required by the General Manager. Any costs incurred by the district in reviewing the application shall be paid by the applicant after the review is completed.

B. EASEMENT

If necessary, an easement for the purposes of construction, inspection, observation, pumping, measurement, sampling, repair, and maintenance of any portion of the water and/or wastewater facilities shall be provided to the District by owners at the time the application for the building water and/or sewer permit is filed.

C. FEES

A plant investment fee and connection/inspection fee shall be paid to the District at the time the application is filed with the general manager at the District office.

1. Connection Fee:

All persons, firms, corporations or others requesting connection to the District's sewer system shall pay a connection fee to cover the costs of materials to make the tap and costs to inspect the service lines and/or mains. The fees are as follows:

<u>Size of Sewer Connection</u>	<u>Fee</u>
4"	\$20.00
6" and over	Time and Materials

2. Application Review & Inspection Fee: \$25.00

3. Plant Investment Fee:

- a. All persons, firms, corporations or others requesting connection to the District's sewer system shall be assessed a plant investment fee to cover their proportionate share of the capital costs of the existing system.

- b. Meter size to be specified by a licensed engineer or plumber.
- c. All sewer fees are based on water meter size.
- d. Connection fees for meters larger than 1" are based on Labor & Material used.
- e. Fees for these meter sizes will be based on the following Equivalent Dwelling Units (EDU):

<u>Meter size</u>	<u>EDU</u>	<u>PIF</u>
3/4" or smaller	1.00	\$4370.00
1"	1.79	\$7822.30
1 1/2"	4.00	\$17,480.00
2"	7.14	\$31,201.80
2 1/2"	11.16	\$48,769.20
3"	16.00	\$69,920.00
4"	28.57	\$124,850.90
5"	44.64	\$195,076.80
6"	64.29	\$280,947.30
7"	87.11	\$380,670.70
8"	113.78	\$497,218.60
9"	144.00	\$629,280.00
10"	177.78	\$776,898.60

- f. The plant investment fee shall be paid before service is rendered. If a larger capacity service is required on a piece of property, only the difference of capacity shall be charged. If a building on a piece of property, which has been hooked up to the sewer system, is demolished and a new building constructed the plant investment fee shall only be applied to the difference of capacity.
- g. The plant investment fee shall be due and payable for all new connections as of July 6, 1994.

D. COST OF INSTALLATION

All costs and expense incurred to install and connect the building sewer to the public sewer shall be paid by the owner. The owner shall indemnify the District from any loss or damage that may directly, or indirectly, be occasioned by the installation of the building sewer to the main.

E. USE OF EXISTING LINES

Old building sewer lines may be used in connection with new buildings only when they are found, on examination and tested by the General Manager to meet all requirements of this ordinance.

F. PLANT INVESTMENT FEE

A plant investment fee and connection/inspection fee shall be paid to the District at the time the application is filed with the general manager at the District office.

4.3 WATER CONNECTION:

A. APPLICATION

Property owners shall make application on forms furnished by the District. The permit application shall be supplemented by any plans, specifications or other information required by the General Manager. Any costs incurred by the district in reviewing the application shall be paid by the applicant after the review is completed.

B. EASEMENT

If necessary, an easement for the purposes of construction, inspection, observation, pumping, measurement, sampling, repair, and maintenance of any portion of the water and/or wastewater facilities shall be provided to the District by owners at the time the application for the building water and/or sewer permit is filed.

C. FEES

A plant investment fee and connection/inspection fee shall be paid to the District at the time the application is filed with the general manager at the District office.

1. Connection Fee - All persons, firms, corporations or others requesting connection to the district water system shall pay a connection fee to cover the cost of labor and materials to make the tap, cost of the water meter and to make the inspection of the service lines and/or mains. The fees are as follows:

Size of Water Connection	Fee
¾	\$1140.00
1	\$2040.60
1 1/2" and Over	Materials & Labor

2. Application Review & Inspection Fee: \$100.00
3. Hydrants: \$10.00 (Not being done)
4. Plant Investment Fee:
 - a. All persons, firms, corporations or others requesting connection to the district water system shall be assessed a plant investment fee to cover their proportionate share of the capital costs of the existing system.
 - b. Meter size to be specified by a licensed engineer or plumber.
 - c. Connection fees for meters larger than 1" are based on Labor & Material used.

- d. Fees for these meter sizes will be based on the following Equivalent Dwelling Units (EDU):

<u>Meter size</u>	<u>EDU</u>	<u>PIF</u>
3/4" or smaller	1.00	\$2,600.00
1"	1.79	\$4,654.00
1 1/2"	4.00	\$10,400.00
2"	7.14	\$18,564.00
2 1/2"	11.16	\$29,016.00
3"	16.00	\$41,600.00
4"	28.57	\$74,282.00
5"	44.64	\$116,064.00
6"	64.29	\$167,154.00
7"	87.11	\$226,486.00
8"	113.78	\$295,828.00
9"	144.00	\$374,400.00
10"	177.78	\$462,228.00

- e. The plant investment fee shall be paid before service is rendered. If a larger capacity service is required on a piece of property, only the difference of capacity shall be charged. If a building on a piece of property which has been hooked up to the water system is demolished and a new building is constructed the plant investment fee shall only be applied to the difference of capacity.

Example: 1 Dwelling rebuilt as a duplex (original building a 3/4" meter) plant investment fee to be charged for just one more 3/4" meter (if duplex is to have two separate meters).

- f. The plant investment fee shall be due and payable for all new connections as of March 4, 1987.

D. IRRIGATION USE

All customers requesting connection to the District water system for irrigation purposes only can be classified as Class IRR customers if they so desire. Class IRR customers benefit from a plant investment fee that is being charged for 3/4" meters at the time the application is submitted and a connection fee based on the meter size. A monthly minimum the same as the standard rate structure for the meter size will be assessed. Additional water usage will be at regular District rates. In return for these considerations, the Class IRR customers can receive water only when District supplies are ample. Should a water shortage arise for any reason the Class IRR customers will have their supply turned off by District personnel until such time as the water shortage is alleviated.

E. FIRE SPRINKLERS

All customers requesting connection to the District's water system for fire sprinkler systems can be classified as Class FSS customers if they so desire. Class FSS customers benefit from a plant investment fee that is charged for 3/4-inch services regardless of line connection size, and a monthly minimum that is stated in these rules and regulations.

4.4 USE OF DISTRICT WATER & SEWER

A. VIOLATION OF AGREEMENT

If a customer furnishes water to others without permission from the District or uses it for purposes not specified in the permit, it shall be considered a violation of the water service agreement and, after reasonable notice, water service may be discontinued by the District. Service will not be reestablished until the cost of shutting off and turning on the water service. The reconnect fee shall be \$25.00.

B. LINE MAINTENANCE

Operation and maintenance of the water and/or building sewer line to the main shall be the responsibility of the owner and shall include routine inspection, maintenance, and rehabilitation.

C. CONSTRUCTION REQUIREMENTS

The size, slope, alignment, materials of construction of all water and/or sanitary sewers, including building sewers, and the methods to be used in excavating, placing of the piped, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the State of Montana and the district. In the absence of code provisions, the materials and procedures to be used shall be, as the General Manager shall require. All excavation over and around the main to make a connection shall be done by and at the expense of the customer. All connections shall be made gas tight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the general manager before installation. The connection and testing shall be done by the customer under the supervision of the general manager or his representative.

4.5 SEWAGE CONVEYANCE - LIFT STATIONS

Whenever possible, the building sewer shall be discharged from the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Where the connections to the Bigfork Sewer District sewer lines cannot be installed to provide gravity flow, lift stations shall be required.

A. LIFT STATION DESIGN REQUIREMENTS

Lift stations installed after January 1, 1985, shall be designed by registered professional engineers. All plans, specifications and other information shall be submitted to the Bigfork County Water and Sewer District for review and approval. No construction shall commence until written approval is given by the Bigfork County Water and Sewer District, State Department of Health and Environmental Sciences, and other appropriate governing agencies.

B. DRY WELLS

Dry wells shall conform to the following:

1. Suitable and safe access shall be provided to a dry well. Stairs or ladders conforming to current safety standards shall be used.

2. A separate sump pump shall be provided to remove leakage and drainage with the discharge above the overflow level of the wet well.
3. Adequate ventilation shall be provided for all pump stations. Mechanical ventilation shall be required on all installations below ground surface with a minimum of six complete changes per hour.
4. Provisions shall be made in design to allow for removal of pumps and motors.
5. The structural design shall be adequate to withstand all earth loads and interior loadings from pumps, ladders, stairs, controls and ventilation. The size shall be sufficiently large to allow installation of all equipment and provide suitable and safe access for maintenance.
6. The dry well shall be equipped with thermostat and heaters to maintain a minimum temperature of 50 degrees Fahrenheit.

C. WET WELLS

Wet wells shall conform to the following:

1. The structural design shall be adequate to withstand all earth loads and interior loads.
2. The effective capacity shall provide a holding period not to exceed 10 minutes for the design average flow.
3. The wet well floor shall have a minimum slope of 1 to 1 to the hopper bottom. The horizontal area of the hopper bottom shall be no greater than necessary for the proper installation and function of the inlet.

D. PUMPS & CONTROLS

Pumps and controls shall conform to the following:

1. Pumps shall be capable of passing spheres of at least 3 inches in diameter; pump suction and discharge shall be at least 4 inches in diameter.
2. Two pumps shall be provided. Provisions shall be made in the controls to alternate pump starting.
3. Each pump shall be capable of handling flows in excess of the expected maximum flow.
4. Each pump shall be sized to provide a discharge with a minimum velocity of 2 feet per second.
5. The pumps and bases shall be sufficient to prevent vibration or other undesirable conditions contributing to early pump failure.
6. Each pump shall have an individual intake.
7. All pumps shall be self-priming.

8. Suitable shut-off valves shall be placed on suction and discharge lines of each pump. A check valve shall be placed on each discharge line between the shut off valves and the pump.
9. The sewage pumps shall be controlled by a pneumatic bubbler control unit, a transducer, or other approved device. Each control system shall be capable of operating two pumps and include but not limited to air compressor, pump alternator, HOA selector switches, pump running lights, motor combination starters and high level alarms circuit for remote monitored alarm with silencers.
10. All control apparatus shall be heavy duty and specifically manufactured for operation under dry well conditions.

E. AUXILIARY POWER

Provisions of an emergency power supply for pumping stations serving 50 or more homes should be made, and may be accomplished by connection of the station to at least two independent public utility sources, or by provisions of portable or in-place internal combustion engine equipment which will generate electrical or mechanical energy, or by the provision of portable pumping equipment. Where in-place internal combustion equipment is utilized, the following guidelines are suggested for use:

1. Placement The unit shall be bolted in place. Facilities shall be provided for unit removal for purposes of major repair or routine maintenance.
2. Controls: Provision shall be made for automatic and manual start-up and cut-in.
3. Size: Unit size shall be adequate to provide power for lighting and ventilation systems and such further systems affecting capability and safety.

F. INSPECTION

At all times during construction, the lift station shall be open for inspection by the General Manager and/or representatives of the State Department of Health and Environmental Sciences.

G. EXCAVATION SAFETY

All excavations shall be adequately guarded with barricades and lighted as to protect the public from hazard. Streets, sidewalks, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building service pipe to the main and for any other property damage or personal injury resulting from the negligent acts of the owner or his representative.

4.6 WATER USE

A. CURB BOX / SHUT OFF

A curb cock and curb box, each of a type approved by the District, must be installed by the Customer at a location designated by the District. A valve must be placed by the customer so that the water can be readily shut off from within the building and the water pipes drained to prevent freezing, at some convenient point inside the building and so located that it cannot freeze.

B. WASTE OF WATER

Waste of water is prohibited and customers must keep their fixtures and service pipes in good order at their own expense. All waterways must be closed when not in use. Leaking fixtures must be repaired immediately without waiting for notice from the District.

C. WINTER EXCEPTION

During the period from November 1 to March 15, water may be run sufficiently to prevent freezing of service mains and associated facilities and metered customers securing permission from the District prior to November 1 will be billed only for an amount based on the customer's average use, instead of for the actual amounts as determined by meter readings during the winter periods.

D. DAMAGE TO CUSTOMER PROPERTY

The customer shall be responsible for all damage to or loss of District's property located upon his premises including damage by hot water, unless occasioned by circumstances beyond his control or by negligence of District. The use of water upon the premises of the customers is at the risk of the customer, and the responsibility of the District shall cease at the point of connection with the customer's service.

E. INSTALLATION & MAINTENANCE

The customer shall be responsible for the installation and maintenance of all piping, plumbing and equipment connected, or to be connected, to the District's distribution system. District shall not be liable for any loss or damage of any nature whatsoever caused by or arising from the operation of the customer's piping or equipment or from any defect in the customer's piping or in the customer's equipment upon the premises of the customer. District does not assume the duty of inspecting the customer's line, plumbing, and equipment and shall not be responsible therefore, but the customer shall grant permission for duly authorized employees or agents of District to make investigation, at reasonable times of the use of water in any premises served.

F. PLAN REVIEW

The District has contracted Morrison Maierle, Inc. to review all plans submitted for water and sewer main extensions, lift stations, wells, pressure systems and related infrastructure. The charges will be invoiced to the developer and are to be paid before the plans are reviewed. These fees will be assessed on any plans submitted after May 6, 2005. See the following payment schedule:

Type of Improvements	Lump Sum Compensation
Water Main Extension	\$150.00 + \$20.00/lot
Sewer Main Extension	\$150.00 + \$20.00/lot
Water Well Improvements	\$150.00
Storage Reservoir Improvements	\$100.00
Sewage Lift Station	\$100.00
Other Improvements not previously mentioned	As quoted on a project by project basis

SECTION V - DEVELOPER EXTENSION AGREEMENT

This agreement is for the purpose of equalizing the costs of building a sewer and water infrastructure by a developer with the benefits to adjacent property owners who want to take advantage of the developer's improvements. The following guidelines are to be used by the developer for drafting the agreement.

The developer can use a zone format to create a fee structure for adjacent property owners based on "actual costs only" as incurred by the developer during construction of the infrastructure system.

All agreements must have a stated time limit; usually no more than five years.

If lots within the development are all sold before the time limit, the agreement is automatically terminated at the time of the sale of the last lot.

All payments by adjacent property owners must be paid to the District and disbursed to the developer after any costs incurred by the District on behalf of the Developer have been paid in full.

The agreement will be drafted by the developer in accordance with these guidelines and reviewed by the District's legal counsel. After legal review, the District will review the agreement and decide on a case-by-case basis as to the acceptance of the agreement.

The board will rule as to the suitability of all agreements and retains the right to refuse any agreement.

If the District requires the developer extending the water main and/or sanitary sewer improvements to install a larger size water main and/or sanitary sewer improvement than required by District standards, the District shall pay the difference in cost between the larger water main and/or sanitary sewer improvements required by the District and the size of the water main and/or sanitary sewer improvements required by the standards.

The District reserves the right to further extend the water main, and/or sanitary sewer improvements, installed by the Developer. The District also reserves the right to charge future Developers, beyond those areas outlined in the Extension Agreement, for their share of the District's cost for the over sizing of water mains and/or sanitary sewer improvements.

SECTION VI - USE OF PUBLIC SEWER

6.1 GROUNDWATER OR STORM WATER

No persons shall discharge or make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sewer unless such connection is approved by the General Manager for purposes of disposal of polluted surface drainage. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the General Manager and other regulatory agencies which may have jurisdiction.

6.2 FORBIDDEN SUBSTANCES

No person shall discharge or cause to be discharged any of the following described water or wastes to the public sewer:

1. Any gasoline, benzene, fuel oil, or other flammable or explosive liquid, solid or gas.
2. Any waters containing toxic or poisonous solids, liquids, or gasses in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of the District's system, to injure 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 collection system, Wastewater treatment plant and the waters receiving any discharge from the treatment plant.
3. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in the sewer collection system or other interference with the proper operation of the wastewater treatment system facilities such as, but not limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood underground garbage, paper dishes, cups, milk containers, etc.
4. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works and/or the collection system.

6.3 LIMITATIONS FOR WASTEWATER

The following described substances, materials, waters or wastes shall be limited, or not allowed to be discharged to the public sewer to concentrations or quantities which will not harm either the sewers, the sludge, the sewer treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger people, property or constitute a nuisance. The Board may set more restrictive limitations than the limitations established in this SECTION if, in its opinion, such limitations are necessary to meet the above objectives.

In forming an opinion as to the acceptability of wastewater, the board will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and federal, state and local regulated discharges.

State and Federal Pretreatment requirements supersede local requirements and must be addressed when accepting certain categorical process.

The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the board are as follows:

1. Sewer having a temperature higher than 150 degrees Fahrenheit.
2. Sewer containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, BETX (gasoline) or product of mineral oil origin.
3. Sewer from industrial plants containing floatable oils, fat or grease (FOG).
4. Any garbage that has not been properly shredded. (Garbage grinders may be connected to sanitary sewers from residences and commercial establishments where garbage originates from the preparation of food in kitchens from the purpose of consumption on the premises or when served by caterers.)
5. Any waters, wastes and/or wastewaters containing metals or toxic substances that may cause the sewer plant to violate discharge permit requirements.
6. Any waters or wastes containing odor-producing substances exceeding limits, which may be established by the board.
7. Any radioactive wastes or isotopes.
8. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewer treatment process to such a degree that the treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge of the receiving waters.
9. Quantities of flow and/or slug flow that may cause operational problems with the collection system and/or wastewater treatment plant.
10. Any water or wastes which, by interaction with other wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

6.4 CONSEQUENCE FOR DISALLOWED WASTE

If any waters or wastes are discharged, or are proposed to be discharged, to the public sewer, which waters contain the substances or possess the characteristics enumerated in this SECTION the board may:

1. Reject the wastes.
2. Require pretreatment to an acceptable condition for discharge to the public sewer.
3. Require control over the quantities and rate of discharge, and/or

4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes, assessments, or sewer charges. If the board 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 Montana Department of Health and Environmental Sciences.

6.5 GREASE, OIL AND/OR SAND INTERCEPTORS

Grease, oil, sand interceptors and other treatment devices shall be provided when, in the opinion of the General Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, organic materials in excessive amounts, sand, or other harmful ingredients. (Interceptors are not an adequate form of treatment device for flammable wastes. Other treatment technologies should be required for the treatment volatile organic materials). All interceptors or treatment devices shall be of a type and capacity approved by the General Manager, and shall be located as to be readily and easily accessible for cleaning and inspection.

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 general manager. Any removal and hauling of the collected materials not performed by the owner or his personnel must be performed by a licensed waste disposal company.

6.6 INDUSTRIAL WASTE

When required by the General Manager, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structures, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the board. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

The District Manager may require an owner to provide information needed to determine compliance with this ordinance such as:

1. Sewer water's discharge peak rate and volume over a specified period of time.
2. Chemical analyses of sewer water.
3. Information on raw materials, processes, and products effecting sewer water volume and quality.
4. Quantity and disposition of specified liquid, sludge, oil, solvent, or other materials important to sewer use control.
5. Details of sewer water pretreatment facilities.
6. A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
7. Details of systems to prevent and control the losses of materials through spills to the district sewer.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association. Sampling methods, location, times, duration's, and frequencies are to be determined on an individual basis subject to approval by the General Manager.

SECTION VII - FOOD GRADE OIL & GREASE (FGOG) POLICIES & PROCEDURES

7.1 FOOD GRADE OIL & GREASE INTERCEPTORS

Food grade oil and grease interceptors shall be required for all food preparation establishments, other than residences, which would contribute any water or wastewater that contains food grade oil or grease. This includes, but not limited to, restaurants, cafeterias, cafes, and fast food outlets. Additionally, food grade oil and grease interceptors shall be required for all schools, fraternal organizations, churches, hospitals, and daycare centers which have the capability to engage in food preparation. In-line interior grease traps shall not be allowed unless approved by Bigfork Water and Sewer. (The District)

The food grade oil and grease interceptor design shall adhere to the requirements established by the District, and shall be subject to approval by the District. The sizing criteria shall be in accordance with the District's Design Specifications for grease interceptor sizing. Those food grade oil and grease interceptors not able to achieve compliance with the District's standards shall be subject to modification and/or replacement.

A. INSPECTIONS

The District shall inspect all food grade oil and grease interceptors to ensure compliance with the District's requirements. The inspection frequency shall be, at a minimum, every 6 months, unless the District determines, at its discretion, more or less frequent inspections are required. The inspection criteria shall include, but is not limited to, the following:

1. Location and accessibility
2. Approximate capacity
3. Identification of inlet and outlet compartments, where applicable
4. Identification of inlet and outlet piping systems
5. Identification of bacterial or enzymatic uses
6. Approximate depth of accumulated solids and grease layer
7. Verification of maintenance records

The District shall provide written notices to all businesses following inspections. Those businesses determined to be in violation of the District's requirements shall be provided a written notice of non-compliance. Follow-up inspections shall be completed to ensure compliance. Failure to comply may result in fines or may cause the sewer service to the premises in question to be terminated (Bigfork Water & Sewer Rules & Regulations, Enforcement and Penalties).

B. MAINTENANCE

Maintenance of food grade oil and grease interceptors shall be the sole responsibility of the business owner or operator. The food grade oil and grease interceptor must be evacuated entirely when the depth of waste grease in the first pit is 25% of the total depth of the interceptor (e.g. if the operating depth is 30 inches, the interceptor must be pumped when grease layer is 7.5 inches). All food grade oil and grease interceptors must be evacuated at a minimum of every 3 months unless, grease accumulation (25% of depth) requires more frequent evacuation or, subject to approval by the District, it is determined that less frequent pumping is sufficient. Contents shall be hauled and

disposed of properly and legally off-site and in accordance with all Federal and Local laws and ordinances.

C. CHEMICAL AND BIOLOGICAL ADDITIVES

The District prohibits the use of chemical and biological additives. Chemical and biological additives are ineffective in food grade oil & grease interceptor where retention time is inadequate, where there are surges in flow volume, where there are changes in grease volumes or changes in the temperature of the wastewater. Use of these products can cause grease to pass through the interceptor and accumulate downstream causing costly sewer main blockages.

D. BEST MANAGEMENT PRACTICES

Existing sources not connected to food grade oil and grease interceptors or those sources connected to in-line interior grease traps, which contribute significant quantities of oil and grease wastes, shall be required to implement Best Management Practices (BMPs). In the event BMPs do not successfully reduce quantities of oil and grease wastes being introduced to the collection system, those sources shall be subject to installation of approved grease interceptors. BMP inspections shall include, however are not limited to, the following:

1. Identification and description of plumbing fixtures
2. Identification of facility grease reduction procedures
3. Identification of facility grease rendering container, where applicable
4. Identification of in-line interior grease trap, where applicable
5. Verification of in-line interior grease trap maintenance records, where applicable
6. Identification of bacterial or enzymatic uses
7. Facility seating capacity
8. Facility hours of operation
9. Facility schedule of routine drain line maintenance

E. RECORDKEEPING

Maintenance and cleaning events must be recorded in written form and kept on file. These records must be made available to the District upon request. Maintenance records shall contain the following information:

1. Date of maintenance
2. Person performing maintenance
3. Estimated volume removed
4. Final destination/disposal location
5. Signature of person performing maintenance

7.2 PLAN REVIEW PROCESS/APPROVAL OF FGOG INTERCEPTORS

A. SIZING

The food grade oil and grease interceptor design shall adhere to the requirements established by the District, and shall be subject to approval by the District. The sizing criteria shall be in accordance with the District's Design Specifications for grease interceptor sizing. Those food grade oil and grease interceptors not able to achieve compliance with the District's standards shall be subject to modification and/or replacement.

B. APPROVAL

All food grade oil and grease interceptors must be approved by the District prior to installation. This is to ensure that the interceptor meets the District's sizing requirements as outlined in our Design Specifications, construction standards and conforms to plumbing codes. The following information must be submitted to the District to obtain approval:

1. Detailed plans of interceptor and piping
2. Number and type of fixtures connected
3. Proposed interceptor location
4. Proposed interceptor size
5. Sizing calculations

C. VARIANCES

Existing businesses not contributing significant quantities of oil and grease wastes to the collection system may apply for a variance to the grease interceptor requirement, subject to approval by the District. The variance shall apply strictly to the named business owner/operator located at the named business address, subject to an initial inspection and approval by the District. Businesses subject to the variance may include, but not limited to, delicatessens, sandwich shops, and pizza take outs, whereas other than the preparation of pre-cooked meals, no cooking would take place.

SECTION VIII - SAND/OIL/WATER SEPARATORS POLICIES & PROCEDURES

8.1 REQUIREMENTS

Sand/Oil/Water Separators shall be required for all automotive related establishments, other than residences, which would contribute any water or wastewater that contains liquid wastes containing floatable materials such as petroleum oil and grease, flammable substances and heavy inorganic material (such as sand or grit). This includes, but not limited to, automotive service shops, automotive body repair, automotive dealerships, salvage yards, self and full service car washes, automotive fueling stations and parking garages.

The sand/oil/water separator design shall adhere to the requirements established by the District, and shall be subject to approval by the District. The sizing criteria shall be in accordance with the District's Design Specifications for sand/oil/water separator sizing. Those sand/oil/water separators not able to achieve compliance with the District's standards shall be subject to modification and/or replacement.

A. INSPECTIONS

The District shall inspect all sand/oil/water separators to ensure compliance with the District's requirements. The inspection frequency shall be, at a minimum, every 12 months, unless the District determines, at its discretion, more or less frequent inspections are required. The inspection criteria shall include, but is not limited to, the following:

1. Location and accessibility
2. Approximate capacity
3. Identification of inlet and outlet compartments, where applicable
4. Identification of inlet and outlet piping systems
5. Approximate depth of accumulated solids and grease layer
6. Verification of maintenance records

The District shall provide written notices to all businesses following inspections. Those businesses determined to be in violation of the District's requirements shall be provided a written notice of non-compliance. Follow-up inspections shall be completed to ensure compliance. Failure to comply may result in fines or may cause the sewer service to the premises in question to be terminated (Location of Enforcement and Penalties).

B. MAINTENANCE

Maintenance of sand/oil/water separators shall be the sole responsibility of the business owner or operator. The sand/oil/water separator must be evacuated entirely when the depth of settled solids/grit and sand in the first pit is 25% of the total depth of the separator (e.g. if the operating depth is 30 inches, the separator must be pumped when sand/grit layer is 7.5 inches). Contents shall be hauled and disposed of properly and legally off-site and in accordance with all Federal and Local laws and ordinances.

C. BEST MANAGEMENT PRACTICES (BMPs)

Sand/Oil/Water Separators are not intended as a disposal site for motor oil and petroleum products. Their purpose is to capture minor spills and drips of petroleum products from the day-to-day operation of an automotive service facility.

The following best management practices (BMPs) must be implemented and followed:

1. Identification and description of plumbing fixtures
2. Identification of recycling containers for lubricants, coolants, cleaners, solvents, etc.
3. Development of a routine drain line, trench drain, and separator maintenance schedule
4. Documentation of all maintenance and repair activities
5. Stock spill response materials (absorbents, booms, spill pads)
6. Sweep or vacuum shop floors frequently
7. Develop a Spill Response/Prevention Plan
8. Employee training

D. RECORDKEEPING

Maintenance and cleaning events for sand/oil/water separators must be recorded in written form and kept on file. These records must be made available to the District upon request. Maintenance records shall contain the following information:

1. Date of maintenance
2. Person performing maintenance
3. Estimated volume removed
4. Final destination/disposal location
5. Signature of person performing maintenance
- 6.

Documentation of bill of lading or receipts must be made available upon request for all pick-ups and deliveries of recyclable products, including, but not limited to, waste oil, antifreeze, and solvents.

8.2 PLAN REVIEW PROCESS/APPROVAL

A. SIZING

The sand/oil/water separator design shall adhere to the requirements established by the District, and shall be subject to approval by the District. The sizing criteria shall be in accordance with the District's Design Standards for sand/oil/water sizing. Those sand/oil/water separators not able to achieve compliance with the District's standards shall be subject to modification and/or replacement.

B. APPROVAL

The District must approve all Sand/Oil/Water Separators prior to installation. This is to ensure separators meet the District's sizing requirements (as outlined in District Design Standards), and construction standards. The following information must be submitted to the District to obtain approval:

1. Detailed plans of separator and all plumbing
2. Number and type of fixtures plumber to separator
3. Proposed separator location
4. Proposed separator size
5. Sizing calculations

C. VARIANCES

Businesses not producing sand or oil wastes to the collection system may apply for a variance to the Sand/Oil/Water Separator requirements, subject to approval by the District. The variance shall apply strictly to the named business owner/operator located at the named business address, subject to an initial inspection and approval by the District.

SECTION IX - SERVICE CHARGES

9.1 SERVICE CHARGE OVERVIEW

A. PURPOSE

The purpose of this SECTION is to generate sufficient revenue to pay all costs for the operation, maintenance and debt retirement of the complete water and wastewater system of the District. Factors such as strength, volume and delivery flow rate shall be considered and included as the basis for each user's service charge to ensure a proportional distribution of operation and maintenance costs to each user, as well as any other factors the Board may deem pertinent in setting a fair and equitable rate.

B. FEE DETERMINATION

The District shall determine the total annual costs of operation and maintenance and debt retirement of the water and/or wastewater system, which are necessary to maintain the capacity and performance during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund.

C. FUNDS MAINTENANCE

A Reserve Account and Surplus Account will be established for the purpose of providing sufficient funds to be expended for obtaining and installing equipment, accessories and appurtenances during the useful life of the water and/or wastewater treatment facilities necessary to maintain as designed and constructed.

The Reserve Account and Surplus Account will be funded as an interest-bearing account and shall be funded by a deposit of (1) surplus funds in the annual budget as determined by the board at the end of each fiscal year, or (2) by a deposit of not less than \$6,000 per year.

9.2 INVESTMENT POLICY

A. GENERAL PURPOSE

The purpose of the District's Investment Portfolio shall be to:

1. Optimize the District's income consistent with liquidity and safety.
2. To employ funds set aside for liquidity purposes or not needed to fulfill operating needs.
3. To invest reserves for future capital improvements within the District.

B. RESPONSIBILITY:

1. The investment committee shall consist of two Board members and the District Manager. The investment committee will be in charge of investments and will be responsible for implementing the investment policy.
2. All transactions will be reviewed by the Board of Directors at the present or next regular meeting. The investment policy will be reviewed and affirmed annually by the Board of Directors.

C. SPECIFIC CONSTRAINTS:

1. U. S. Government/U.S. Government Agency Securities

2. Length: The maximum length of any security purchased will be five years. The weighted average maturity of the Government and Agency securities shall not exceed two years.

D. MONEY MARKET SECURITIES

1. TYPES:
 - a. Certificate of Deposit (not to exceed FDIC insured limits)
 - b. Repurchase Agreements
2. LENGTH:
 - a. The term will not exceed three years.
 - b. Repurchase agreements will not exceed one year in maturity.

9.3 SEWER FEES

A. VOLUME

All district customers shall have a water meter installed. The meter reading will be used as a basis for a portion of sewer service charge. The District or its Engineer shall estimate each user's average daily volume of wastewater, based upon either actual usage or the total water use from the previous year. The daily average shall be computed from the available data and shall then be divided by the average daily volume of all wastewater discharged to the wastewater system to determine each user's volume contribution percentage. The amount used, as the total average daily volume of wastewater shall exclude infiltration in flow. The District or its Engineer, shall estimate each user's average daily poundage of 5 day 20 degree centigrade Biochemical Oxygen Demand (BOD) which has been discharged to the wastewater system, which shall then be divided by the average daily poundage of all 5 day BOD discharged to the wastewater system to determine each user's BOD contribution percentage. The District or its Engineer shall estimate each user's daily average Suspended Solids (SS) poundage which has discharged to the wastewater system which shall then be divided by the average daily poundage of all suspended solids discharged to the wastewater system to determine the user's suspended solids contribution percentage. Each user's volume contribution percentage, BOD contribution percentage and suspended solids contribution percentage shall be multiplied by the annual operation, maintenance and debt retirement costs for wastewater treatment of the total flow, of the total 5 day 20 degree Centigrade BOD and the suspended solids, respectively.

B. TSS & BOD

The District or its Engineer shall determine the average suspended solids (SS) and biochemical oxygen demand (BOD) daily loadings for the average residential user. The District or its Engineer shall assess a surcharge rate for all nonresidential users discharging wastes with BOD and SS strengths greater than the average residential user. Such users will be assessed a surcharge sufficient to cover the costs of treating such users above normal strength wastes. Normal strength wastes are considered to be 250 ppm SS. Any nonresidential user with BOD and/or TSS greater than the average residential strength of 250 ppm BOD and 250 ppm TSS will pay a surcharge in accordance with the following schedule.

BOD - \$0.049 per 25 ppm per 1000 gallons over the residential averages.

SS - \$0.054 per 25 ppm per 1000 gallons over the residential averages.

C. SERVICE CHARGE CALCULATION

Each owner's service charge shall be a combination of:

1. A rate based on the amount of water used by each owner and a rate based on the assessed value of each lot shall be assessed yearly as a special assessment on the individual property tax bills sent by Flathead County. This assessment shall be used to reduce the bonded indebtedness of the District. These rates shall be in addition to permit fees and connection charges.
2. Each user, residential or non-residential, shall be assessed a volume charge for all sewer use of \$34.30 for the first 5,000 gallons and \$1.75 per 1000 gallons metered thereafter. Volume charges shall be calculated based on current monthly meter reading or a monthly average from the preceding year. Each parcel or tract in the district shall pay an assessment to pay the bond and interest payments, which will be calculated annually.
3. Customers within the District who provide sewer hookups for mobile homes, recreational vehicles, trailers, or other mobile sewage sources will be considered by the General Manager on a case-by-case basis. The District has the right to charge a monthly sewer minimum on each hookup facility.
4. Each non-residential user's wastewater treatment cost and surcharge shall be added together to determine their service charge. Residential users may be considered to be one class of users and an equitable service charge may be determined for each users based upon an estimate of the total waste water contribution of this class of user. The District may classify industrial, commercial, and other non-residential establishments as a residential user with respect to volume, suspended solids and BOD.

D. BILLING

The District shall submit statements to the user for the user's wastewater service charge on a monthly basis. Unless otherwise agreed to by the District, charges will commence on the day the user is hooked up to the wastewater treatment system.

Each owner will be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges, which are attributable to wastewater treatment.

9.4 CHARGES FOR WATER SERVICES

Charges for water service to residential and commercial customers shall be:

Minimum monthly charge for water service:

\$20.25 for a 3/4" meter for 5000 gallons or less
\$50.70 for a 1" meter for 12,500 gallons or less
\$101.40 for a 1 1/4" meter for 25,000 gallons or less
\$101.40 for a 1 1/2" meter for 25,000 gallons or less
\$162.25 for a 2" meter for 40,000 gallons or less
\$304.25 for a 3" meter for 75,000 gallons or less
\$507.15 for a 4" meter for 125,000 gallons or less
\$1,014.30 for a 6" meter for 250,000 gallons or less

PLUS:

- \$1.25 per thousand gallons for all additional water between 5,000 and 10,000 gallons
- \$1.75 per thousand gallons for all additional water between 10,000 and 30,000 gallons
- \$2.35 per thousand gallons for all additional water over 30,000 gallons

* Charges for water service to residential customers living in town homes which have 1" meters installed will be charged the rate for 3/4" meters.

If the monthly average over a period of one year surpasses the monthly minimum for a 1" meter they will be charged the rate for a 1" meter.

9.5 CHARGES FOR SEWER SERVICE

Charges for sewer service to residential and commercial customers shall be:

Minimum monthly charge:

\$ 34.30 for a 3/4" meter for 5000 gallons or less
\$ 86.05 for a 1" meter for 12,500 gallons or less
\$ 172.20 for a 1 1/4" meter for 25,000 gallons or less
\$ 172.20 for a 1 1/2" meter for 25,000 gallons or less
\$ 275.60 for a 2" meter for 40,000 gallons or less
\$ 516.80 for a 3" meter for 75,000 gallons or less
\$ 861.40 for a 4" meter for 125,000 gallons or less
\$1,722.85 for a 6" meter for 250,000 gallons or less

PLUS:

\$1.75 per thousand gallons for all additional gallons over minimum

* Charges for sewer service to residential customers living in town homes which have 1" meters installed will be charged the rate for 3/4" meters.

If the monthly average over the period of one year surpasses the monthly minimum for a 1" meter they will be charged the rate for a 1" meter.

9.6 CHARGES FOR FIRE HYDRANTS

Charges for water service for public fire protection service shall be:

\$2.00 per month for each hydrant

The above rate for hydrants located in the service area is for hydrants installed at locations where District owned water mains of adequate capacity are in service on the date the installation is requested. Water taken under this schedule is to be used only for the extinguishment of the fire protection equipment and cleaning of streets.

9.7 CHARGES FOR FIRE SPRINKLERS

Charges for water service for private fire protection service shall be:

\$32.00 per month for each 3" connection

\$35.25 per month for each 4" connection

\$41.00 per month for each 6" connection

Water taken under this section is to be used only for the extinguishment of fires and the flushing necessary for the proper maintenance of the fire protection equipment. Water used for any other purpose shall be estimated or a meter installed and the water used shall be billed at regular meter rates. All additions of water mains and facilities on public rights of way necessitated by requests for private fire protection shall be made in accordance with the SECTION on Extensions. Water service required for private fire protection purposes and all hydrants required on private property shall be installed at the expense of the customer. The customer shall, at the District's request, furnish, install, own and maintain a back flow protector and a detector check device acceptable to the District. A contract for a period of five years may be required for each connection established for private fire protection.

9.8 MISCELLANEOUS

This schedule is based on continuing service at each service location. Disconnect and reconnect transactions shall not operate to relieve the same customer from minimum monthly charges.

Water used during the construction of buildings, etc. shall be metered whenever possible. When the setting of a meter is impracticable, the amount of water used shall be estimated by the district and be billed at the rates specified above.

SECTION X - METERING

10.1 METER INSTALLATION

The customer will pay for the necessary meter including a meter-box whenever necessary, and the customer shall provide and maintain a location satisfactory to the District for installation thereof. In no event will the District furnish water through one meter to two or more residences or commercial premises irrespective of the fact that all such premises may be owned by one customer. Any deviation would require the approval of the District.

10.2 CUSTOMER'S RESPONSIBILITY

The customer shall exercise reasonable care in protecting the District's meter and other company owned equipment located on his premises. Only District employees or agents or person authorized by law are permitted to inspect or handle same.

10.3 FINAL CONNECTION

Final installation of the meter shall in all cases be made by District.

10.4 METERS SEALED

All meters will be sealed by District. The breaking of seals by unauthorized persons or tampering with meters is prohibited.

10.5 ACCESS TO PREMISES

The duly authorized employees and agents of District shall have access at all reasonable hours to the premises of the customer for the purpose of reading or testing of meter, installing, removing or replacing District property and other purposes incident to the supplying of service.

10.6 EXTRA METERS

When a customer desires one or more secondary meters for various tenants in a single building, the customer will be required to pay, read and repair the secondary meter. District will not render bills based on the readings of such secondary meters and all use from one service must be billed to and paid by one customer. District will, if so requested, advise the customer of the monthly readings of the secondary meters.

10.7 TYPE OF METERS

The district, shall in its sole judgment, determine the size, type and make of any meter installed and may replace any meter at such time as it may see fit.

10.8 ESTIMATED METER READINGS

Whenever a meter shall fail to register the consumption of water, the District will estimate the amount used by averaging the use during the two previous months.

10.9 METER READINGS TO BE BILLED

No meter readings will be added together for billing purposes except in the case of large compound meters having two dials.

10.10 NON-WORKING METERS

If a meter is found not to register for any period, the Board may compute the water used as follows:

1. For customers who have been served for over one year, the amount billed on the same consumptive use as occurred during the same period the previous year.
2. For customers who have been served for less than one year, the amount billed shall be based upon water used for the last billing period.

Exceptions will be made to the rule if the facts reasonably show that either method does not give the correct consumption for the period.

SECTION XI - BILLING

11.1 METER READING

The District will normally read meters once each month. The day of the month for reading any meter will be determined by the District and shall, as closely as practicable, be the same each month. If the meter reader is unable to gain access to the premises on his regular meter-reading trip, he may leave a postcard to enable the customer to submit the meter reading to the District. If the postcard is not received by the District in time for billing, the District may estimate the meter reading and render a bill on the estimated reading.

11.2 METHOD OF BILLING.

The billing for domestic water and/or sewage shall be based on the volume of flow, as determined by water meter readings. The billing for domestic sewage will have a minimum charge assessed and there will be no charge for water passing through the meter which is reasonably determined to be used for water sprinkling. The procedure used to calculate water used for sprinkling is as follows: Water usage for a residential customer for the months of October thru March would be averaged. Water metered during the months of April thru September above this average would be deducted from the sewer billing. Commercial customers will meter sprinkling water to receive credit on their sewer billing. The billing for industrial wastes shall be based on the water meter reading plus an increased amount, as determined by the Board to cover the special or increased cost of treating said waste at the Wastewater Treatment Plant.

A. BILLING INTERVALS

The District will normally send bills at monthly intervals but may send bills at other than monthly intervals to provide certain operating economies.

B. OPENING AND CLOSING BILLS

Opening and closing bills for water and/or sewer service rendered for period of five days more or five days less than normal billing period will be computed in accordance with the rate applicable to the service, by amount of water used and minimum rate, on a pro-rated basis of the number of days in the normal billing period.

C. DELINQUENCIES

All water and/or sewer bills shall be due and payable when mailed and become delinquent after the 26th day of the month. The District may add a penalty of \$5.00 per month on the outstanding balance of the charges due if payment is not received by the District by the due date. If a customer fails to pay the water and/or sewer bill and penalty, if any, within thirty (30) days of the due date then the manager may notify the customer in writing that the District will terminate the customer's water and/or sewer service. The notice must inform the customer not only of the possibility of the termination of water and/or sewer service, but also of a procedure for challenging a disputed bill. If a customer is not able to pay the total amount of the bill, a suitable payment schedule may be made with the manager; provided however, that no outstanding balance shall be permitted to exceed the equivalent of two (2) months average bill on the property.

11.3 DISPUTES

A. INCORRECT READS

The customer, at his request, is to be instructed on how to read the water meter when the meter is furnished by the District. If the customer believes the meter reading shown on the bill is incorrect by comparing previous billings and current readings, the customer shall notify the Board within five days of receipt of the billings in question.

B. METER ACCURACY

The customer, at the customer's expense, shall determine the accuracy of the water meter if the customer disputes its accuracy. If the District disputes the accuracy of the meter it may, at its expense, determine its accuracy and if the meter is found to be inaccurate over two (2) percent in favor of the customer, the customer shall make the necessary repairs, at the customer's expense, to bring the meter into tolerance or replace the meter. Billing adjustments shall be made for inaccurate meters in the same manner and in accordance with the Rules and Regulations of the Water and Sewer District.

C. BILLING ERROR

If an error in billing has been made, the Board may recover any under-billing or refund any over collection for a period of 6 months preceding the date the error is determined.

D. COMPLAINTS TO BOARD OF DIRECTORS

Each user wishing to dispute the amount shown as due on the monthly statement may do so by writing the District General Manager, at P.O. Box 1108, Bigfork MT 59911, or by presenting a complaint to the Board of Directors at any regularly scheduled meeting on the first Wednesday of each month at the designated time and meeting place.

E. REVISIONS TO SERVICE CHARGES

The District shall review the total annual cost of operation and maintenance as well as each user's wastewater contribution percentage not less often than every two years and will revise the system as necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the water distribution and/or sewer treatment works. If a user has information, which the user believes requires a change in that user's water and/or wastewater contribution percentage, the user can present, at a regularly scheduled meeting of the District, such factual information and the District shall then determine if the user's water and/or wastewater contribution percentage shall be changed. The District will notify the user of its findings as soon as possible.

SECTION XII - MISCELLANEOUS

12.1 PERMITTED ENTRY

The General Manager and other duly authorized employees of the District shall be permitted at all hours to enter all properties for the purposes of inspection, observation, measurement, sampling, testing, and pumping pertinent to supplying water and/or discharge to the community system in accordance with the provisions of this ordinance. The General Manager or other duly authorized employees are authorized to obtain information concerning industrial processes, which have a direct bearing on the kind and source of discharge to the wastewater collection system.

12.2 VALIDITY OF ORDINANCES

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.

12.3 RULES AND REGULATIONS

A copy of the Rules and Regulations of the District and any contracts and applications applicable to the District shall be maintained at the District Office for full inspection by the public. District rates shall be explained to an owner upon request.

12.4 RIGHTS TO AMEND RULES

The adoption of this ordinance shall not preclude the Board from altering or amending them, in whole or in part, or from requiring other or additional service, equipment, facility or standard, either upon complaint, upon its own motion or upon application of the General Manager.

12.5 DISCONTINUANCE OF SERVICE BY DISTRICT

The District may discontinue service, upon not less than 24 hours notice, to any customer for violation of any provision of a service agreement, rate schedule or these Rules and Regulations, including failure to pay bills within the specified period. If services are discontinued under these provisions, a \$25.00 service fee will be charged to the customer's account in addition to standard late fees. This fee must be paid in addition to all past due charges and late fees before service will be restored. When water service is discontinued for non-payment, the regular billing charges and late fees will continue to accrue each month according to the standard rates.

If services are discontinued and the property owner has not made full payment of all delinquent charges, interest and penalties, then the District may elect to have the delinquent charges collected as a tax against the property by following the procedures outlined in Montana Code Annotated 7-13-2301. Briefly, if a delinquent charge is not paid by the end of the fiscal year, the general manager shall, by July 15 of the succeeding fiscal year, give notice to the owners of the property to which the service was provided. The notice must be in writing and must specify the charges owed, including any interest and penalty; must specify that the amount due must be paid by August 15th or it will be levied as a tax against the property. Montana Code Annotated also provides that the district may bring suit in any court of competent jurisdiction to collect amounts due as a debt owed to the district.

12.6 THE DISTRICT'S RIGHT TO REFUSE SERVICE

The District may refuse service to any delinquent customer owing the District for service, until such past balance has been paid or satisfactory arrangements have been made by delinquent customer with the District for paying the account. These same provisions shall apply and the District may refuse service to any other member of the same household or firm when application by this member in the opinion of District may be means for evading payment of the delinquent service bill.

12.7 TAMPERING OR UNAUTHORIZED USE OF SERVICE

The District may discontinue service, without notice, to any customer when any evidence of tampering with the meter or interfering with the proper functioning thereof or any unauthorized use or diversion of service is found.

Whenever service is discontinued under this rule, the District shall not be required to restore service until a settlement has been made. In cases where the meter seal is broken, or the working parts of the meter have been tampered with, or the meter damaged, the District may render a bill for the current month based on the average of the preceding two months' use, together with full costs of repairing and replacing the meter and may refuse to furnish further water service until the account is paid in full. The District may require as a condition of restoring service that the customer make at his own expense such changes in his piping system as may be necessary to provide for a meter location and installation satisfactory to the District.

12.8 STRUCTURES SCHEDULED FOR DEMOLITION

If a District-served structure is scheduled for demolition, billing will continue until structure is physically moved from the foundation.

12.9 OUTSIDE WELLS & PUMPS

To ensure safe drinking water for our customers, all District water lines are to be kept completely separate from private wells and pumps; therefore, no cross-connections whatsoever are permitted. Existing wells may be used only for irrigation and must be physically separated from all District water lines. New private wells will not be permitted for use inside residences, business places, public institutions or for any commercial use. The District reserves the right to reasonable periodic inspection of irrigation wells.

SECTION XIII - HANDLING AND DISPOSAL OF SEPTAGE AND SLUDGE

13.1 RECORDS

The District shall be responsible for compiling data and maintaining permanent records of residence, dates, volumes, disposal site, and disposal areas.

13.2 DISPOSAL SITES

Disposal sites shall meet all MDHES requirements for use and be validated by the Flathead County Health Department prior to use. Each disposal sites shall have an operation and maintenance plan for that site.

13.3 SEPTAGE HAULING

Any septage hauler contracted by the District shall be licensed by the MDHES. Fees for the license shall be paid by the hauler. The hauler shall meet MDHES qualifications, and shall comply with the terms of the permit issued under the authority of the law.

The equipment operation of the hauler shall meet state and county standards and shall be inspected by the District. Should fines be levied for non-compliance with the rules outlined by MDHES or the District, the fines shall be paid by the hauler.

SECTION XIV - PENALTIES

Any person violating any provision of this ordinance shall be served with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any person violating any of the provisions of this ordinance shall become liable to the District for any expense, loss, or damage occasioned by the District by reason of such violation. This remedy is in addition to any other remedies that may be available to the district.

SECTION XV - EFFECTIVE DATE OF ORDINANCE

This ordinance shall be in full force and effect from and after July 1, 2008. The rules and regulations contained herein shall govern the supplying by the District and taking by the customers of water and/or sewer service in the service area. They are subject to revision from time to time by the Board and supersede all regulations by whatever term designated which may heretofore have governed the supplying and taking of water and/or sewer service.

Passed and adopted by the Board of Directors of Bigfork County Water and Sewer District on the _____ day of _____, 2014.

District President