

RULES AND REGULATIONS
OF THE
GALLATIN GATEWAY COUNTY WATER AND
SEWER DISTRICT

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Chapter 1

General Provisions

101 Purpose & Policy

These rules set forth uniform requirements for Users and Beneficiaries of the publicly owned facilities of the Gallatin Gateway County Water & Sewer District (“District”) and enable the District to comply with all applicable State and Federal laws. The objectives of these rules are:

1. To protect personnel, the general public, and the facilities of the District;
2. To enable the District to comply with Federal or State laws to which the District and its facilities are subject;
3. To prevent the introduction of Pollutants into the District’s facilities that may pass through, inadequately treated, into receiving waters or elsewhere; and
4. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the District’s facilities.

These rules shall apply to all Users of the facilities of the District, and to the owners of property located within the boundaries of the District and benefiting from the existence of the District. The rules authorize use of the facilities; specify parameters for the use of the facilities; provide for monitoring, compliance, and enforcement activities; establish administrative review procedures; and provide for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

102 Authority

These rules and regulations are enacted pursuant to the authority granted to the District under MCA Title 7, Chapter 13, Part 22 (including but not limited to §7-13-2217) and Part 23. These rules and regulations are enacted to prescribe authority to and work subsidiary to any State or Federal laws or regulations which may govern water and wastewater service within the State of Montana and the United States.

Statutory References: 7-13-22 & 23 MCA

Cross References:

History: Originally enacted October 7, 2013

103 Jurisdiction

The jurisdictional area of these rules and regulations shall include any territory, whether situated within or outside the District limits, which is presently or in the future located within the District water or wastewater service areas and/or served with District water or wastewater service.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

104 Applicability

These rules and regulations are hereby made a part of the contract with every person provided with district wastewater service. Further, every person making application for initiation of such service, or accepting such service, shall be bound thereby.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

105 Abbreviations

The following abbreviations, when used herein, shall have the designated meanings:

ARM Administrative Rules of Montana

ASTM The American Society for Testing Materials

AWWA The American Waterworks Association
BOD Biochemical Oxygen Demand
CFR Code of Federal Regulations
COD Chemical Oxygen Demand
DEQ Montana Department of Environmental Quality
EPA U.S. Environmental Protection Agency
GGWSD Gallatin Gateway County Water & Sewer District
gpd gallons per day
MCA Montana Code Annotated
mg/l milligrams per liter
TSS Total Suspended Solids
U.S.C. United States Code
VRU Volume Ratio Unit
WPCF Water Pollution Control Federation

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

106 Definitions

Unless a provision explicitly states otherwise the following terms and phrases, as used herein, shall have the meanings hereinafter designated.

1. “Benefited Property” means any lot, tract or parcel benefited in any manner by the existence of the District. A lot, tract or parcel is deemed to be benefited if any residential, commercial, industrial, condominium, recreational, apartment, or other development (“improvement”) is located on the lot, tract or parcel and connected to the facilities of the District; or if the value of the lot, tract or parcel is enhanced by the fact that the District’s facilities are available; or if the lot, tract or parcel benefits in any manner.

2. “Biochemical Oxygen Demand” (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees Centigrade, expressed in terms of weight and concentration (mg/l).
3. “Board” or “Board of Directors” means the Board of Directors of the Gallatin Gateway County Water & Sewer District .
4. “Building Drain” means that part of the lowest horizontal piping of a drain system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the Sewer Lateral beginning outside of the building wall.
5. “Change in Use” means to change the use of any existing structure so as to cause the VRUs to increase or decrease.
6. “District” means the Gallatin Gateway County Water & Sewer District created pursuant to Title 7, Chapter 13, Parts 22 and 23, MCA.
7. “Easement” means an acquired legal right for the specified use of land owned by others.
8. “Effluent” means the outflow of treated sewage from the wastewater treatment facilities.
9. “Extension” means the act or process of extending, adding to, or enlarging the District wastewater system on the District’s side of the point of delivery/point of connection to provide District wastewater service to a prospective customer or group of prospective customers.
10. “Floatable Oil” is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pre-treated and does not interfere with the collection system.
11. “Garbage” means the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
12. “General Manager” means the person authorized by §7-13-2278 MCA and appointed by the Board.
13. “Industrial Waste” means a waste substance from the process of business or industry or from the development of any natural resource, together with any sewage that may be present.

14. “Interceptors” are defined as equipment used as Pretreatment devices for physical removal of undesirable substances prior to discharging into the wastewater system.
15. “Lateral Stub” means a part of the public system which begins as a service tee or wye from the sewer main line and ends at the lot line of the property being serviced.
16. “National Categorical Pretreatment Standards” or “Pretreatment Standard” means any regulation containing pollutant discharge limits promulgated by the State of Montana; or by the EPA in accordance with Section 307(b) and (c) of the Clean Water Act (33 U.S.C. Section 1317) that applies to a specific category of Primary Industrial Users; or by the District.
17. “Normal Domestic Strength Wastewater” means wastewater with concentrations of BOD no greater than 200 mg/l, suspended solids no greater than 240 mg/l, phosphorus no greater than 10 mg/l and TKN (Total Kjeldahl Nitrogen) no greater than 27 mg/l.
18. “Other Waste” means garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, sand, ashes, offal, night soil, oil, grease, tar, heat, chemicals, dead animals, sediment, wrecked or discarded equipment, radioactive materials, solid waste, and all other substances that may pollute state waters.
19. “Owner” means one or more persons, jointly or severally, in whom is vested all or part of the legal title to property; or the beneficial ownership and a right to present use and enjoyment of the premises, including a mortgagee in possession.
20. “pH” refers to the negative logarithm of the hydrogen ion concentration in moles per liter of solution. pH is an indicator of the acid or base content of the solution.
21. “Pollutant” means any dredged soil, solid waste, incinerator residue, sewage, garbage, septic waste, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, district, and agricultural waste discharged into water.
22. “Pollution” means the discharge, seepage, drainage, infiltration, inflow, or flow of liquid, gaseous, solid, radioactive or other substance

into state water that will or is likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, or welfare, to livestock, or to wild animals, birds, fish, or other wildlife.

23. “Pretreatment” means the reduction of the amount of pollutants, the elimination of pollutants, the alteration of the rate of their introduction into the District wastewater system, or the alteration of the nature of Pollutant properties in wastewater to a less harmful state, prior to or in lieu of discharging or otherwise introduction of such Pollutants into the district wastewater system. The reduction or alteration can be achieved by physical, chemical, or biological processes, process changes, or by other means, except as prohibited by 40 CFR Section 403.6(d).
24. “Pretreatment Requirement” means any substantive or procedural requirement related to pretreatment, including National Categorical Pretreatment Standards, imposed on an industrial or commercial user.
25. “Remodel” means to add on to by means of construction, or reconfigure any existing structure so as to increase or decrease the VRUs of the structure.
26. “Sewer Lateral” means a conduit or pipe which begins at the Building Drain, and ends at its connection to the public system at the Lateral Stub, generally located at the lot line of the property being serviced.
27. “Sewer Main” means a sewer collector that is designed to convey sewage from more than one structure and has a diameter that is eight (8) inches or more in diameter.
28. “Slug” means 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/or adversely affects the public system.
29. “Standard Methods” means the examination and analytical procedures set forth in the most recent edition of “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

30. “Suspended Solids” means total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as non-filterable residue.
31. “Unit of Government” means local, county, state or federal governmental entities.
32. “Unpolluted water” is water whose quality is equal to or better than the effluent criteria in effect or water quality that would not cause violation of receiving water quality standards and would not be benefited by discharge to the public system.
33. “User” or “Customer” means any person receiving District water or wastewater service either directly or indirectly from the District water or wastewater system.
34. “Volume Ratio Unit” (VRU) means the average characteristics of the single-family in residences within the District’s sewer service area. One VRU means a common characteristic of flow from a 2 bedroom residence. VRUs are used as the basis to equitably distribute costs among residential, commercial and industrial Users. Refer to the VRU Conversion Schedule attached as Appendix B.
35. “Wastewater” or “Sewage” means the liquid and water carrying industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the district wastewater system.
36. “Waste Water Operation, Maintenance, Repair & Replacement Expenses (WWOM&R)” shall include all costs associated with the operation and maintenance of the wastewater treatment and collection facilities including administration and expenditures for obtaining and replacing equipment, accessories or appurtenances which are necessary during the useful life of the wastewater treatment and collection facilities to maintain the capacity and performance of the public system. WWOM&R shall be determined from time to time by the Board.
37. “Wastewater Treatment Facility” means an arrangement of devices and structures for treating wastewater and sludge, which includes the

outfall pipe line and structures. Also referred to as wastewater treatment plant or publicly owned treatment works.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

107 107–110 Reserved

111 Administration

Except as otherwise provided herein, the General Manager shall administer, implement, and enforce these rules. Any powers granted to or duties imposed upon General Manager may be delegated by General Manager to a duly authorized District employee.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

112 Review of Administrative Actions

Any persons aggrieved by an administrative decision, any rules or regulation adopted, or the application of any rule or regulation governing the operation of the District may petition the Board of Directors for review . The aggrieved shall file a written notice of appeal with the Board of Directors within 10 days after the date on which the grievance occurred. The notice of appeal shall state the specific action being appealed, the service account number, the reasons for appealing such action, the particular relief sought, the aggrieved person's correct mailing address, and shall be signed by the aggrieved person. The aggrieved person shall be notified in writing by certified mail, return receipt requested, of the date, time, and place the matter will be considered by the Board of Directors. The aggrieved person and all other interested persons may appear at that date, time, and place and be heard. The Board of Directors shall act on the question within 45 days of the hearing on the question.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

113 113–120 Reserved

121 Non-Compliance

Any person who shall fail to comply with these rules and regulations after being given a written notice of the nature of the violation shall be subject to discontinuance of service. Provided, that in emergency situations, as determined at the sole discretion of the District, such service may be discontinued without notice. Service shall not be restored until the violation is corrected and full compliance is assured. Further, once service has been discontinued for non-compliance with these rules and regulations, it shall not be restored until the customer involved corrects the deficiency and pays to the District any applicable charges for discontinuance and/or reestablishment of service and restores any required deposits. In addition, persons failing to obey promulgated rules and regulations shall be subject to punishment and penalties.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

122 Interruption of Service

The District reserves the right to temporarily interrupt service to its customers for the purpose of addressing emergency situations or making connections, extensions, repairs, replacements, and/or additions to the District system. Whenever possible the District shall give reasonable notice to its customers in advance of accomplishing such work.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

123 Liability of District

The District shall only be responsible to a customer for providing service in accordance with the conditions set forth herein, irrespective of ownership of the property served. The District shall not be responsible for inconvenience, damage, or injury to persons or property resulting from the District's termination, discontinuance, or interruption of District service to any property in accordance with these rules and regulations. The District is responsible for facilities up to the Sewer Lateral. All facilities from the building up to,

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but excluding, the Lateral Stub are the responsibility of the property owner. The General Manager shall determine whether a line is a Sewer Lateral, a Lateral Stub or a Sewer Main if a discrepancy occurs.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

Chapter 2

Reserved

Chapter 3

Wastewater Use Regulations

301 Purpose & Policy

The purpose of this Chapter is to set forth regulations governing the use of the District's wastewater collection and treatment facilities. In addition to Title 7, Chapter 13, Parts 22 & 23 MCA, this regulation is the guiding document for the Gallatin Gateway County Water & Sewer District Board of Directors, employees, and Customers of the District applicable to all wastewater and storm drain facilities owned and operated by the District

Statutory References: 7-13-22 & 23 MCA

Cross References:

History: Originally enacted October 7, 2013

302 Wastewater Service Areas

The official wastewater service areas for the District are those areas within the boundaries of the District, any areas presently served outside the District, and any subsequently approved additions thereto. The boundaries of the wastewater service area represent an area within which applicants for new service may reasonably expect that the District will have adequate treatment capacity to allow the proposed connection. A map depicting the wastewater service areas adopted herein, and any enlargements that may be from time to time approved by the Board of Directors, is contained in C.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

303 Allocation of Capacity

The District will conduct an ongoing monitoring program to estimate the maximum facility treatment capacity ('maximum capacity') for the public system. Based upon the maximum capacity, the Board will determine from time to time a safe operating capacity ('operating capacity'). The operating capacity of the public system will always be lower than the maximum capacity to provide a margin of safety to ensure that public health and the environment are protected. Until the current flows reach the operating capacity as determined by the Board, there will be available capacity for connecting legal obligations to the public system on a first come, first served basis.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

304 Out-of-District Service

The Board may by contractual agreement provide service to property located outside of the District boundary as allowed by law.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

305 Connection to the Public Sewer System Required

The Owner of any house, building, or other property which is used for human occupancy, business, employment or recreation, which property abuts on any street or public right-of-way in which there is or may be located a sewer main, shall, at the owner's expense, install suitable sewer service facilities therein, and connect such facilities directly to the sewer main within 180 days after the date of official notice to do so, provided that a sewer main is located in the right-of-way within a distance of five hundred (500) feet from the owner's property line, weather conditions permit, the house, building or structure is within the wastewater service area and the wastewater capacity is sufficient to serve the property. The Owner must obtain a Connection Permit pursuant to the procedures described in Chapter 8. The cost of connecting to the public system shall be at the expense of the Owner or lessee and shall be done in accordance with the provisions of this Ordinance.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

306 Conditions of Service

Service shall be provided by the District only under and in accordance with the rules and regulations contained herein by modifications or additions thereto lawfully made, and under such applicable ordinances, resolutions, rate schedules, and contracts as may from time to time be lawfully established.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

307 Access to Premises

Access at reasonable hours to a customer's premises by authorized District employees shall be deemed to have been granted to the District by the customer during the time the customer accepts district service for the purpose of reading meters, testing, repairing, removing or exchanging any or all equipment belonging to the utility, examining pipes and fixtures and the manner the water is used, or for the purpose of ensuring that a customer is in compliance with these rules and regulations. All persons must at all times frankly and without concealment answer all questions put to them by District employees relative to the consumption of water.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

308 308–312 Reserved

313 Prohibited Discharge

1. No person shall discharge or cause to be discharged any Unpolluted waters such as storm water, ground water, roof runoff, subsurface drainage or cooling water to any sanitary sewer.
2. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into any public sanitary sewer:

- (a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
- (b) Any storm water, rainwater, floodwater or water originating from a sump pump or seepage pit, basement drainage water, or discharge from foundation drains;
- (c) Any waters or wastes containing toxic or poisonous solids, liquid or gases in sufficient quantity, either singly or by interaction with other wastes, that could injure or interfere with any waste treatment or sludge disposal process, constitute a hazard to humans or animals, or create a public nuisance in the receiving waters of the wastewater treatment facility;
- (d) Any substance, which if disposed of in any other method than to the public system, would be classified or defined as a hazardous waste under 40 CFR, Part 261;
- (e) Any waters or wastes having a pH lower than 5.5, or in excess of 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater treatment facilities;
- (f) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in the public system or other interference with the proper operation of the wastewater treatment facilities, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, garbage, whole blood, paunch manure, hair and fleshing, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage disposals.

Statutory References: 40 CFR 261

Cross References:

History: Originally enacted October 7, 2013

314 Limitations on Discharge

The following described substances, materials, waters or wastes shall be limited in discharges to the District systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving waters, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The District Board may set limitations lower than the limitations established

CHAPTER 3. WASTEWATER USE REGULATIONS

in the regulations below if, in their opinion, such more severe limitations are necessary to meet the above objectives. In forming their opinion as to the acceptability, the District 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 other pertinent factors. 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 District Board are as follows:

1. Wastewater having a temperature higher than one hundred fifty degrees Fahrenheit (150° F) (65° C);
2. Wastewater containing more than 10 mg/l of petroleum oil, non-biodegradable cutting oils or products of mineral oil origin;
3. Wastewater containing more than 25 mg/l of floatable oils, fat or grease;
4. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers;
5. Any waters or wastes containing iron, chromium, copper, zinc and other toxic and nonconventional pollutants in concentrations exceeding levels specified by federal, state and local authorities;
6. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the District or limits established by any federal or state statute, rule or regulation;
7. Any water or wastes which, by interaction with other water or wastes in the public system, release noxious gases, form suspended solids or create a condition deleterious to structures and/or treatment processes;
8. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by applicable State or Federal regulations;
9. Materials which exert or cause:

- (a) Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facility;
 - (b) Unusual or excessive volume of flow, or concentration of wastes constituting Slugs;
 - (c) Unusual concentrations of inert Suspended Solids or of dissolved solids;
 - (d) Excessive discoloration
10. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014; revised 5/6/2019

315 Approval Required For Certain Discharges

1. Authority To Reject, Require Pretreatment Or Control Quantity: If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 314 of this Chapter and which, in the judgment of the General Manager, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the General Manager may:
- (a) Reject the wastes;
 - (b) Require a pretreatment system designed and stamped by a Montana licensed professional engineer to treat the waste to an acceptable condition for discharge to the public sewers;
 - (c) Require control over the quantities and rates of discharge to the public sewers;
 - (d) Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges;

2. Permit Required: Significant industrial users may be required to obtain an Industrial Discharge Permit and shall complete and file with the District an application in the form prescribed by the General Manager and accompanied by the permit application fee. Please refer to Chapter 8 Section ?? of this document.

Statutory References:

Cross References: §3.314; §8.??

History: Originally enacted October 7, 2013

316 Dilution Prohibition

No industrial user shall increase the use of process water or dilute a discharge as a substitute for adequate treatment to achieve compliance with any Pretreatment Standard or Requirement.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

317 Preliminary Treatment Facilities

1. Interceptors Required: Grease, oil, and sand interceptors shall be required when, in the opinion of the General Manager, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 314.3 of this Chapter, or any flammable wastes, sand, or other harmful ingredients. All interceptors 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 captured 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 owner's personnel must be performed by currently licensed waste disposal firms.
2. Owner's Expense: Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

3. Control Manhole Required: When required by the General Manager, the owner of any property serviced by a building sewer carrying industrial waste 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 structure, when required, shall be accessible and safely located and shall be constructed, as approved by the General Manager, in accordance with plans approved and stamped by a licensed Professional Engineer in the State of Montana. The structure shall be installed by the owner at his expense and shall be maintained by the owner so as to be safe and accessible at all times.

Statutory References:

Cross References: §3.314.3

History: Originally enacted October 7, 2013; revised 11/3/2014

318 Measurements, Tests And Analyses

1. Standards: All measurements, tests, and analyses to the characteristics of water and wastes as required by this Chapter shall be determined in accordance with 40 CFR Part B6, Guidelines Establishing Test Procedures for the Analysis of Pollutants, unless otherwise specified, and shall be determined at the sampling point provided for in Section 317.3 upon suitable samples taken at such sampling point. In the event that no sampling point has been required, the sampling point shall be considered to be the nearest clean out or manhole downstream to a point in the public sanitary sewer at which the building sewer is connected.
2. Responsibility For Testing: All testing, measurements and analyses shall be the sole responsibility of the Customer. The Customer shall bear all expense for the required testing. The Customer shall notify the District, in writing, prior to conducting the required tests. The District shall have the right to witness the testing procedure if it so desires. The Customer shall provide the District with the results of said tests. The required measurements and tests shall be taken at intervals of one year. For intermittent operation, the Customer shall notify the District, in writing, prior to the discharge of Pollutants, and also prior to the termination of said discharge to assure equity of the assessed charges.

CHAPTER 3. WASTEWATER USE REGULATIONS

3. Additional Testing: If necessary, and at the discretion of the General Manager, testing for grease, oil, fecal coliform, heavy metals or other contaminants may be required.
4. Verification of Tests: If, for any reason, the District suspects the validity of the tests conducted by the Customer, the District may require additional testing done in the presence of the General Manager or other authorized personnel. The costs of additional testing shall be the responsibility of the Customer.

Statutory References: 40 CFR B6

Cross References: §3.317.3

History: Originally enacted October 7, 2013; revised 11/3/2014

Chapter 4

Reserved

Chapter 5

Reserved

Chapter 6

Rates, Fees and Charges

601 Purpose & Policy

The purpose of this Chapter is to establish rules enabling the District to generate sufficient revenue to:

1. pay all ongoing expenses of the District;
2. make principal and interest payments on the District's debt;
3. ensure the continued viability of the District's facilities, and to ensure the District's facilities are sufficient to allow the District to comply with all applicable state and federal standards;
4. ensure the District's facilities have sufficient capacity to serve current and projected demand.

Estimated volume and delivery flow rate shall be considered and included as the basis for the rates, fees and charges assigned to each User. The allocation of rates, fees and charges among Users shall be designed to ensure a proportional distribution of costs, taking into account any other factors the Board may deem pertinent in setting a fair and equitable rate.

All rates, fees, and charges shall be adopted by the Board of Directors by ordinance or resolution in accordance with the provisions of §7-13-2275 MCA as such rates, fees and charges may be lawfully changed from time to time. Further, in accordance with the provisions of §7-13-2301 MCA, no person shall be permitted to use or enjoy the benefit of the District's facilities unless they pay the full and established rates, fees and charges for said service. The rates, fees and charges shall be reviewed as part of the annual budget process and as deemed necessary by the Board.

Statutory References: §7-13-2275 MCA; §7-13-2301 MCA

Cross References:

History: Originally enacted October 7, 2013

602 Wastewater Cost Apportionment Method

The Volume Ratio Unit (VRU) method of determining user ‘equivalency’ as portrayed in the VRU Conversion Schedule, Appendix B will be used for the establishment of wastewater rates and fees.

Statutory References:

Cross References: Appendix B

History: Originally enacted October 7, 2013

603 603–610 Reserved

611 Service Request Application Fee

1. Purpose: The Service Request Application Fee offsets the cost of establishing a billing and/or Customer account with the District. The fee is applicable any time a change in billing or account information is required.
2. Cost Basis: The basis for the Service Request Application Fee includes the expenses related to establishing or modifying Customer accounts.
3. Method of Allocation: The applicant shall bear all costs included in the cost basis. The fee shall be paid to the District at the time an application service is filed with the District. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: §8.??; Appendix A

History: Originally enacted October 7, 2013

612 Predesign Application Fee

1. Purpose: The Predesign Application Fee offsets the cost of assessing capacity, reviewing and processing Predesign Applications.
2. Cost Basis: The basis for the Predesign Application Fee includes the expenses related to evaluating, reviewing, publishing and/or other activities necessary to evaluate whether the facilities of the District have

adequate capacity and infrastructure to accommodate the applicant's requirements.

3. Method of Allocation: The applicant shall bear all costs included in the cost basis. The fee shall be paid to the District at the time an application for Predesign is filed with the District. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: §8.??; Appendix A

History: Originally enacted October 7, 2013

613 Connection Application Fee

1. Purpose: The Connection Application Fee offsets the cost of reviewing and processing Connection Applications; inspecting the Service Lateral during construction; and establishing the Lateral Stub.
2. Cost Basis: The basis for the Connection Application Fee includes the expenses related to evaluating, reviewing, publishing and/or other activities necessary to evaluate whether the applicant's Sewer Lateral and Lateral Stub meet the standards and requirements adopted by the Board. This fee shall include costs of inspecting and tapping by District personnel or others subcontracted by the District to do so in place of District personnel.
3. Method of Allocation: The applicant shall bear all costs included in the cost basis. The fee shall be paid to the District at the time an application for connection is filed with the District. Any charges for connection of service lines to the District wastewater system adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply to those wishing to make connections to the existing District wastewater system. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: §8.??; Appendix A

History: Originally enacted October 7, 2013

614 Extension Application Fee

1. Purpose: The Extension Application Fee offsets the cost of reviewing and processing Extension Applications and inspecting extensions

during construction.

2. **Cost Basis:** The basis for the Extension Application Fee includes the expenses related to inspecting, evaluating, reviewing, publishing and/or other activities necessary to evaluate whether the applicant's proposed Sewer Main meets the standards and requirements adopted by the Board.
3. **Method of Allocation:** The applicant shall bear all costs included in the cost basis. The fee shall be paid to the District at the time an application for extension is filed with the District. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: §8.??; Appendix A

History: Originally enacted October 7, 2013

615 Annexation Application Fee

1. **Purpose:** The Annexation Application Fee offsets the cost of processing and reviewing applications and/or petitions for annexation.
2. **Cost Basis:** The basis for the Annexation Application Fee includes the expenses related to reviewing and/or processing applications for annexation. The cost basis also includes any pass-through fees or charges levied by Gallatin County required to process the application.
3. **Method of Allocation:** The applicant shall bear all costs included in the cost basis. If there are multiple petitioners on an application each shall bear a share of the costs included in the cost basis proportionate to the estimated capacity required by each petitioner. The fee shall be paid to the District at the time an application service is filed with the District. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: §8.??; Appendix A

History: Originally enacted October 7, 2013

616 Industrial Discharge Permit Fee

1. **Purpose:** The Industrial Discharge Permit Fee offsets the cost of reviewing and processing the Industrial Discharge Permit Application.

2. Cost Basis: The basis for determining the fee amount shall be the costs to test, analyze, process and / or other activities necessary to determine the actual or estimated additional cost of treating the wastewater or sludge due to the presence of industrial Pollutants.
3. Method of Allocation: The applicant shall bear all costs included in the cost basis. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: §8.??; Appendix A

History: Originally enacted October 7, 2013; revised 11/3/2014

617 Plant Investment Charge

1. Purpose: The purpose of the Plant Investment Charge is to offset the cost of treatment capacity consumed by the applicant's proposed development or requirement.
2. Cost Basis: The Plant Investment Charge shall be based upon the estimated cost of the treatment capacity consumed by the proposed use.
3. Method of Allocation: The Plant Investment Charge will be based upon VRUs. If a larger capacity service is required on an existing service, only the difference of capacity shall be charged. Likewise, if a building on a piece of property which has been connected to the wastewater or sewer system is demolished and a new building is constructed, the Plant Investment Charge shall only be applied to the difference of capacity. All fees are due and payable before the new or increased service(s) are available for use. A District permit must be issued by the District office prior to the new service(s) being placed in service. The applicant shall bear all costs included in the cost basis. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: Appendix A

History: Originally enacted October 7, 2013

618 Charge for Discontinuance or Reestablishment Service

1. Purpose: The Charge for Discontinuance or Reestablishment Service offsets the costs related to disconnecting or reconnecting Customer services.
2. Cost Basis: The Charge for Discontinuance or Reestablishment Service includes the expenses related to disconnecting or reconnecting Customer services.
3. Method of Allocation: Any charges for reestablishment of service adopted by the Board of Directors, or as such may be lawfully changed from time to time, shall apply to any Customer that has had the service to his/her property discontinued for failure to pay District charges or for failure to comply with the rules and regulations set forth herein. The charge for reestablishment of service shall be subdivided into two classification, which are “normal working hours” and “outside normal working hours.” Once the service to a customer has been discontinued, such service shall not be restored until the customer involved is in full compliance with these rules and regulations and has paid to the District the applicable charge for reestablishment of District services, plus payment of any outstanding charges and/or deposits for such service. The District may enact a requirement for pre-payment of services in connection with reestablishment of service. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: Appendix A

History: Originally enacted October 7, 2013

619 Late Payment Fee

1. Purpose: The Late Payment Fee is established primarily to provide an incentive for prompt payment of applicable rates, fees and charges; and secondarily to offset tangible expenses related to notification and carrying charges on late payments.
2. Cost Basis: The cost basis related to the primary purpose is intangible and not readily measurable. The Board finds that late payments affect the District’s ability to pay current debt, accounts payable and/or

other immediate expenses; that the District's inability to pay its obligations may adversely affect interest rates on the District's debt and good will with the District's vendors; and that consequently there are significant costs associated with late payments. Direct costs associated with the District's efforts to collect late payment is also included in the cost basis.

3. Method of Allocation: The District shall apply the maximum allowable late payment penalty to each User and such penalty shall be applied to all bills for public system services that, according to District records, have not been paid prior to the delinquent date.

Statutory References: §7-13-2218.10
Cross References: Appendix A
History: Originally enacted October 7, 2013

620 Benefited Property Charge

1. Purpose: The Benefited Property Charge is established for the purpose for paying a portion of the District's ongoing general administrative expenses which are not directly attributable to operating, maintaining or repairing the District's water or wastewater facilities.
2. Cost Basis: General administrative expenses may include, but are not limited to, general liability insurance; errors and omissions liability insurance; fidelity and performance bonds required by law and authorized by the Board; provision of public notice of Board action; Board compensation; and professional services that are general in nature such as audit services and general legal services.
3. Method of Allocation: The Benefited Property Charge shall be applied equally to all Benefited Properties. For the purpose of this section, all lots, tracts and parcels located within the boundaries of the District and all lots, tracts and parcels on which a residential, commercial, industrial, condominium, recreational, apartment, or other development ("improvement") is connected to the facilities of the District are deemed to be Benefited Properties. Benefited Properties that are not connected to the facilities will be billed quarterly to the owner of the property on the last day of each calendar quarter. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: Appendix A

History: Originally enacted October 7, 2013

621 Wastewater OM&R Charge

1. Purpose: The WWOM&R Charge offsets the expenses related to the ongoing operation, maintenance and repair of the District's wastewater treatment and collection facilities.
2. Cost Basis: Ongoing expenses related to wastewater treatment and collection include a proportionate share of the District's billing system; salaries of wastewater plant operators; maintenance and repair of the treatment and collection facilities; periodic cleaning and flushing of the collection system; etc. Specifically excluded are capital expenses.
3. Method of Allocation: All costs for WWOM&R shall be paid on a unit cost per VRU basis. All unit costs shall be determined at least annually on the following basis:

Unit Cost per VRU = WWOM&R divided by Total Number of VRUs in District Billing Database

The costs for WWOM&R for the public system shall be based on total wastewater flow, and Normal Domestic Strength parameters for BOD and TSS, using the unit cost per VRU. The fixed and variable costs for the public system WWOM&R shall be allocated uniformly to all residential and commercial users of the sewer system on the basis of VRUs.

WWOM&R Surcharges:

- (a) Surcharges for Strength. All users whose wastewater exceeds Normal Domestic Strength shall pay a surcharge. Surcharge rates shall be charged at the same unit costs per pound computed for normal strength wastewater. The concentration of wastewater used for computing surcharges shall be established by wastewater sampling. Such sampling shall be done as often as necessary by the District and shall be binding as a basis for the surcharge.
- (b) Surcharges for Flow. Connections to the public system that exceed normal flow shall be charged at a rate equal to 1.5 times the base rate charge per VRU for the amount of flow that is demonstrated to exceed a daily average of 225 gallons per VRU. The

surcharge shall be applied for the period of time that flow exceeds a daily average of 225 gallons per VRU.

- (c) Any person discharging industrial Pollutants which cause an increase in the cost of treating the wastewater or sludge from the District's wastewater treatment facility shall pay for such increased costs, as determined by the District. See Appendix A, Schedule of Rates, Fees and Charges for current fee amount.

Statutory References:

Cross References: Appendix A

History: Originally enacted October 7, 2013; revised 11/3/2014

622 Wastewater Facility R&R Charge

1. Purpose: The Wastewater Facility Replacement and Repayment Charge offsets the expenses related to the replacement of the District's wastewater treatment and collection facilities, the repayment of debt related to the District's wastewater facilities, and Short-Lived Asset (SLA) replacement reserves required by the conditions of the Revenue Bond portion of the debt incurred during the Phase I Wastewater Treatment and Collection Project. The SLA reserves represent restricted income to be used for replacement of equipment purchased in the Phase I project.
2. Cost Basis: The basis for the replacement portion of the charge shall be equal to the estimated cost of replacing the District's wastewater related infrastructure divided by the estimated life of said infrastructure. The basis for the repayment portion of the charge shall be equal to the actual principal and interest payment on debt related to the District's wastewater facilities and required SLA reserves.
3. Method of Allocation: The Wastewater Facility Replacement and Repayment Charge shall be allocated on a VRU basis. Each User shall be responsible for a share of the charge proportionate to the number of VRUs assessed to the User.

Statutory References:

Cross References: Appendix A

History: Originally enacted October 7, 2013; revised 11/3/2014

623 Phase I Wastewater Special Assessment

1. Purpose: The Phase I Wastewater Special Assessment offsets principal and interest payments on a portion of the debt incurred during the Phase I Wastewater Treatment and Collection Project and Short-Lived Asset (SLA) replacement reserves required by the conditions of said loan. The SLA reserves represent restricted income to be used for replacement of equipment purchased in the Phase I project.
2. Cost Basis: The basis for the charge shall be equal to the actual principal and interest payment on debt related to the District's wastewater facilities and required SLA reserves.
3. Method of Allocation: The Phase I Wastewater Special Assessment was allocated in accordance with procedures enumerated in the MCA to all lots, parcels and tracts within the boundaries of the District at the time the assessment was adopted by the Board on August 6, 2012. This assessment is levied by the Gallatin County Treasurer on affected properties.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

624 Delinquent Account Fee

1. Purpose: The Delinquent Account Fee offsets the District's expenses related to securing liens and turning over collection of delinquent accounts in accordance with Section 711. The Board also finds that prompt collections are essential to the viability of the District. Therefore this fee also provides an incentive for prompt payment.
2. Cost Basis: The basis for the fee shall be the actual expenses incurred to secure the lien and to execute the provisions of MCA §7-13-2301 and additional charges to deter delinquencies as may be determined by the Board.
3. Method of Allocation: The Delinquent Account Fee shall be levied on all accounts delinquent under the provisions of MCA §7-13-2301. See Appendix A, Schedule of Rates, Fees and Charges for current amount.

Statutory References:

Cross References:

History: Originally enacted November 3, 2014

625 Noncompliant Property Charge

1. Purpose: The Noncompliant Property Charge penalizes noncompliance with Section 305 of the Rules and Regulations. Noncompliance with Section 305 detrimentally impacts the environment and may have significant health effects on community residents. Noncompliance also affects the financial viability of the community's infrastructure investment.
2. Cost Basis: The charge is intended to incentivize compliance with the Rules & Regulations . The cost basis to provide this incentive is equivalent to the currently-in-force wastewater service charge(s). The charge shall be no less than the sum of the Wastewater OM&R Charge and the Wastewater Facility R&R Charge.
3. Method of Allocation: The Noncompliant Property Charge shall be applied to all properties not in compliance with Section 305 of the Rules & Regulations . The charge shall be levied on the same schedule as the Wastewater OM&R Charge. See Appendix A, Schedule of Rates, Fees and Charges for current amount.

Statutory References:

Cross References: Appendix A; Section 305

History: Originally enacted February 6, 2017

626 General Fines and Penalties

1. Purpose: General Fines and Penalties penalize noncompliance with general provisions of the Rules & Regulations of the Gallatin Gateway County Water & Sewer District . Noncompliance with Rules & Regulations may detrimentally impact the environment, may have significant health effects on community residents, may affect the financial viability of the community's infrastructure investment, and/or may unfairly burden one class of ratepayer over another by causing inequities in the apportionment of costs.
2. Cost Basis: The charge is intended to incentivize compliance with the Rules and Regulations and to recover the cost incurred by the District for repairing or correcting any damage to the District's property. The Board shall set the amount of the fine or penalty for the most common infractions. The General Manager shall compute the actual

cost to the District for any repairs or corrective action. The General Manager shall compute the estimate the value of any inequities in apportionment of Section 621 and Section 622 charges where appropriate. The cost basis for the Fine and/or Penalty shall be the sum of the three aforementioned amounts.

3. Method of Allocation: The General Fine and/or Penalty shall be applied to the property owner of the property on which the violation occurred, or to the offending party if the offense occurs outside the boundaries of the District.

Statutory References:

Cross References: Appendix A

History: Originally enacted May 6, 2019

627 Returned Check Fee

1. Purpose: The Returned Check Fee is established to discourage the issuance of checks on accounts with insufficient funds and to allow for the recovery of expenses associated with returned checks.
2. Cost Basis: The cost basis includes the actual cost of recovering receipts related to returned checks as well as additional amounts sufficient to discourage the issuance of checks written on accounts with insufficient funds.
3. Method of Allocation: The District shall apply the fee to the affected account upon notice of the offense from the District's bank.

Statutory References: §7-13-2218.10

Cross References: Appendix A

History: Originally enacted May 6, 2019

Chapter 7

Billing, Delinquencies and Deposits

701 Purpose & Policy

The purpose of this Chapter is to establish billing policies, policies for delinquencies, and policies for the District's handling of deposits.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

702 Responsible Party

Owners of property shall be responsible for payment of wastewater services provided to that property regardless of occupancy or residency. The District will not bill tenants, lessees or other persons with a possessory interest in the real property.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

703 Billing Period

The charges for District services shall be billed periodically as specified in Appendix A to the Owner of the real property. To meet unusual conditions, such as discontinuances, the District may render bills for service at other than the aforementioned intervals. Recurring rates, fees and/or charges shall be billed to the owner of the property served on the last day of the month.

CHAPTER 7. BILLING, DELINQUENCIES AND DEPOSITS

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

704 Bills Due

All bills are due 30 days from billing date. Bills which remain unpaid 45 days or more from the billing date are considered delinquent and will be assessed a Late Payment Fee in accordance with Section 619.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

705 Bill Format

As a minimum, a bill for district wastewater service shall show the customer's name and mailing address, the billing date, the billing period, the customer's account number, the service address, the number of wastewater VRUs assigned to the property, the current and past due charges, the previous balance, the balance of deposits, and the total amount due.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

706 706–710 Reserved

711 Delinquencies and Liens

Bills become delinquent as specified in Section 704. Delinquent public system user fees under this Ordinance shall be a lien upon the property served by the public system. Liens shall be executed against all delinquent accounts in accordance with Montana law and specifically §7-13-2301 MCA. Delinquent accounts which are transferred to Gallatin County for collection will be assessed a Delinquent Account Fee in addition to late fees already applied to the account. In the event of foreclosures or other reasons for changes in ownership, unpaid delinquencies, together with interest, costs, and reasonable attorney fees, shall remain a continuing lien upon the property against which each such assessment is made.

Statutory References: §7-13-2301 MCA

Cross References: 7.704; 6.624

History: Originally enacted October 7, 2013; revised 11/3/2014

712 Refusal of Service

The District may refuse service to any delinquent customer or to other members of the delinquent customer's household or firm when the request by such person for service may be a means for evading payment of unpaid district wastewater charges.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

713 Payment Transfers

Where a customer is liable to the District for district wastewater service at one address and is thereafter located at some other address, any amounts due to service furnished at any previous location may be transferred to the customer's account at the customer's current location.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

714 Adjustments of Wastewater Bills

The District may adjust wastewater rates, charges and fees as applied to a particular premises by the procedure set forth below, where it appears that the character of the wastewater from any manufacturing, industrial, or other plant, building, or premises is such that the wastewater rates provided are unfair, inequitable, unreasonable, or inadequate to pay the cost of wastewater service to such premises.

Any person who considers the wastewater rates, charges, and fees applicable to his/her premises unfair, inequitable, or unreasonable may present his/her complaints to the Board of Directors, stating the facts and grounds of complaint. The Board of Directors shall advise the General Manager of any need for investigation and a report of the investigation shall be made to the District. The Board of Directors, or a District appointed complaint committee, shall consider each and all of such complaints and reports and coordinate its recommendations with the General Manager. When the Board of Directors or appointed complaint committee finds that the wastewater rates, charges, and fees applicable to any premises are unfair, inequitable, unreasonable, or inadequate, the council shall have the right to order a public hearing as to any such matter, and if convinced that an adjustment of the

wastewater rates, charges, and fees for such premises is necessary to provide equality with those charged to others, it shall so provide, either by amendatory ordinance, or by resolutions, special wastewater rates and charges for individual premises during the period of continuance of special circumstances which make the standard rates and charges unfair, inequitable, unreasonable, or inadequate.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

715 715–720 Reserved

721 Deposits

1. **When Required:** For the purpose of guaranteeing payment of the district wastewater charges, the District may require any prospective customer to file a deposit with the District prior to providing the prospective customer with District wastewater service. A person desiring to establish an account for District wastewater service to a property not currently supplied with district water service may be required to file a deposit with the district prior to being granted such service. The District may also require a deposit from an existing Customer if said Customer's account becomes delinquent. Such deposit shall be equal to the estimated bill for ninety(90) days of district wastewater service. Provisions can be made in a case of need that the deposit can be paid over a two-month period. If a customer established an account without a deposit, but subsequently develops an unsatisfactory credit history with the District, a deposit may be required as a condition of continuing service. No interest shall be paid on deposits.
2. **Application of Deposits:** The District may apply to a delinquent customer's account any or all of such customer's deposit to offset any outstanding bill at the customer's current or former address. The District may require the customer to immediately restore the deposit to the full amount whenever it has been used for this purpose.
3. **Transfer of Deposits:** Any deposit made under the provisions set forth in this section may be transferred by the District to any address within the District's service area where service is provided in the depositor's name.

CHAPTER 7. BILLING, DELINQUENCIES AND DEPOSITS

4. Failure to Make Deposit: Failure to make deposits, increase deposits, or restore deposits after notification shall be due cause for the District to consider the customer involved to be delinquent until such deposit has been made plus the payment of any applicable charges.
5. Refund of Deposits: The District may at any time refund a customer's deposit or any part thereof by check or by credit to the customer's account.
6. Record of Deposits: The District shall maintain a record of any deposits filed by customers with the District.
7. Receipt of Deposits: The District shall issue to a customer from whom a deposit is received a non-assignable receipt. However, the District shall provide reasonable ways and means whereby a deposit may be refunded to a customer who is unable to produce the original receipt. A current picture ID will be required to reclaim deposit.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

Chapter 8

Applications and Permits

801 Purpose and Policy

The purpose of this Chapter is to establish and document procedures for potential Users of the District's facilities to apply for said services and to provide review and appeal procedures for provision of District services.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

802 Application Procedures

The General Manager shall establish and document procedures for those parties wishing to connect to the facilities of the Gallatin Gateway County Water & Sewer District; to remodel connected premises or structures; to modify the use of connected premises or structures; to document a change of ownership; and for any other purpose related to the business of the Gallatin Gateway County Water & Sewer District. The policies and procedures promulgated by the General Manager shall be subject to the following restrictions:

1. A permit shall be issued prior to any party connecting to the District's facilities;
2. Board approval shall be required for any application in excess of 5 VRU or for any use that may reasonably be expected to produce other than domestic-strength wastewater; and

CHAPTER 8. APPLICATIONS AND PERMITS

3. Any application for annexation shall be handled in accordance with state law.

Statutory References:

Cross References:

History: Originally enacted May 6, 2019

Chapter 9

Reserved

Chapter 10

Initiation or Termination of Service

1001 Purpose and Policy

The purpose of this Chapter is to establish procedures for termination and re-establishment of District services.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1002 Service Application Required

A person requesting to establish an account for District wastewater service with the District shall make written application for such service with the District. Applications are available at <http://www.gatewaywsd.com/documents/serviceapplication>. See Sections 611 and ?? for fees and application procedures. After approval by the District, the application to establish an account for wastewater service shall constitute the agreement between the District and the customer that the rules and regulations provided herein shall serve as the contract between said parties. Existing customers hereby agree to accept the rules and regulations provided herein as their contract with the District upon passage of said rules and regulations by the Board of Directors.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1003 Discontinuance of Service By Customer

Once district wastewater service is initiated, a customer shall be responsible for payment to the District for any water/wastewater service is provided, including any minimum charges due, until such time as the customer requests the discontinuance of said service. A customer shall, under normal circumstances, contact the District at least 5 days in advance of the need to discontinue the customer's district wastewater service, Saturdays, Sundays, and holidays, excluded.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1004 Discontinuance of Service By District

The District may discontinue wastewater service to any customer/user as provided below or as may be provided elsewhere herein these rules and regulations:

1. Without Notice
 - (a) In the event of any condition determined to be hazardous to property and/or persons.
 - (b) In the event a customer/User uses equipment in such a manner that adversely affects the District wastewater system or that adversely affects District wastewater service to other customers/users.
 - (c) In the event of any unauthorized use or diversion of District wastewater service.
 - (d) Upon written receipt of orders from government authority to discontinue District wastewater service.
2. With Not Less Than 24 Hours Notice
 - (a) For violation and/or non-compliance with any applicable federal, state, or local laws, and rules and regulations contained herein.
 - (b) For failure of a customer to permit representatives of the District reasonable access to the customer's premise for the purposes set forth in Section 307.
 - (c) For failure of a customer to fulfill his/her contractual obligations for service, including, but not limited to, nonpayment of his/her current wastewater bill.

CHAPTER 10. INITIATION OR TERMINATION OF SERVICE

3. With 10 Days Written Notice

- (a) For failure of a user to keep his/her building sewer and appurtenances in good repair and in a safe and operable condition.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

Chapter 11

Sewer Laterals and Extensions

1101 Purpose and Policy

The purpose of the Chapter is to:

1. Provide for an orderly, planned, and cost-effective method of extending the District wastewater system;
2. Ensure that Sewer Laterals and Extensions to the District wastewater system are properly designed, inspected, and constructed in accordance with appropriate health and District standards; and
3. Facilitate the administering and documenting of all activities relating to Sewer Laterals and Extensions of the District wastewater system.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

1102 Unauthorized Extensions Prohibited

Any unauthorized person is prohibited from extending or causing to be extended, either directly or indirectly, any portion of the wastewater systems without first obtaining in writing the necessary approvals and paying the appropriate fees and charges as required and set forth herein.

Statutory References:

Cross References: §8.??;6.614

History: Originally enacted October 7, 2013

1103 Unauthorized Connections Prohibited

Any unauthorized person is prohibited from connecting to, either directly or indirectly, any portion of the wastewater system without first obtaining in writing the necessary approvals and paying the appropriate fees and charges as required and set forth herein.

Statutory References:

Cross References: §8.??;6.613

History: Originally enacted October 7, 2013; revised 11/3/2014

1104 Meter Required for Certain Connections

An approved magnetic flow meter shall be required for any connection to a force main. An approved metering method shall be required for any non-residential connection to the District's facilities.

Statutory References:

Cross References:

History: Originally enacted May 6, 2019

1105 1105–1110 Reserved

1111 Excavations

Persons opening up, digging into, excavating, or tunneling in any public right-of-way or District Easement for the purpose of constructing extensions or making connections with the wastewater systems, whether same be situated within or outside the boundaries of the District limits, shall, prior to performing such work, obtain in writing at their expense all necessary approvals, permits, licenses, surety bonds, and/or public liability insurance certificate that may be required by the agency or person having jurisdiction and control over such public right-of-way and District easements.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1112 Barricades and Restoration

All excavations related to the public system shall be adequately guarded with barricades and lights to as to protect the public from hazard. Streets,

sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1113 1113–1120 Reserved

1121 Sewer Extensions

A person may not commence Sewer Extension work without an Extension Permit. All costs of new sewer extensions including but not limited to construction and engineering costs are the responsibility of the owner or developer.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1122 Extension Construction Materials & Methods

All sewer extensions shall be constructed in accordance with the Montana Public Works Standard Specifications as supplemented by Section 3.3 of the Big Sky County Water & Sewer District Standard Specifications & Drawings, current edition. All other applicable rules and regulations of the District, as well as the Montana DEQ “Design Standards for Wastewater Facilities”, also apply. In the absence of code provisions, the materials and procedures set forth in the applicable sections of the ASTM and WPCF Manual of Practice No. 9 shall apply. All engineering and sewer extension costs shall be paid by the developer. If the contractor finds deficiencies in the public system during the course of constructions, he shall notify the District of the problem. The District may pay costs to correct the problem. The District requires a pre-construction meeting with the developer, design engineer, and contractor before any work commences.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 5/6/2019

1123 Construction Inspection

Full time construction inspection is required by the District and shall be a condition of final acceptance by the District of the sewer extension. The District also requires a Professional Engineer responsible for the installation and inspection of the sewer extension, to certify in writing that the extension has been installed in accordance with the plans and specifications.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1124 Plan Modifications

Substantive modifications to sewer extension plans must be approved by the District and the State of Montana before construction commences. In addition, the developer must submit the design modifications to the District at the same time that plans are submitted to the State of Montana for review.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1125 Future Growth Provisions

1. If the District requires the developer extending the sewer main improvements to install a larger size sewer main or improvement greater than required by District Standards or the Developer's requirements, the District may pay the difference in cost between the larger sewer main or improvements required by the District and the size of the sewer main or other improvements required by the standards.
2. The District reserves the right to further extend the water or sewer main installed by a Developer or individual. 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 wastewater mains.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1126 Acceptance and Transfer of Ownership

Upon completion of the sewer extension, the District will accept the extension and allow connection to the public system if it meets the requirements of this Ordinance. Final acceptance by the District shall be contingent on the following:

1. Where feasible, an unobstructed twenty (20) foot wide permanent easement to the District over the improvements for access, maintenance and repair must be provided. All applicable easements must be recorded at the Gallatin County Clerk and Recorder's office at the developer's expense.
2. The developer must post security for the warranty period described in Section 1127. The security may be in the form of either:
 - (a) Bond in the amount of 10% of the construction cost of the utility improvement for a period sufficient to cover the warranty period described in Section 1127. The District will hold the bond for a period of two (2) years from the date that the sewer extension is formally transferred to the District; or
 - (b) Cash deposit in the amount of 10% of the construction cost of the utility improvement for a period sufficient to cover the warranty period described in Section 1127. The District will hold the deposit in a segregated interest bearing account for two (2) years from the date of extension ownership conveyance.
 - (c) Letter of Credit in the District's name in the amount of 10% of the construction cost of the utility improvement for a period sufficient to cover the warranty period described in Section 1127. The letter of credit must be for two (2) years from the date of extension ownership conveyance.
3. TV inspection of all sewer mains according to section 02722.3.3.5 Montana Public Works Standard Specifications. A copy of all videotapes shall be furnished to the District. The District shall review the videotapes before final acceptance of the system.
4. One complete set of an as-built mylar showing all Lateral Stub locations, two sets of blue line as-built plans, sewer plans on computer diskette in a format that is compatible with Autocad version 12 (if computer designed), and all O&M manuals.

5. Transferring ownership of all sewer extension improvements to the District upon final inspection and acceptance by the District. The District will provide a ‘Agreement for Conveyance of Sewer Extension’ to the developer which must be signed by the owner and the District. The District shall be responsible for recording the agreement.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014

1127 Warranty Period

If within two (2) years of the date acceptance any work is found to be defective, the District shall be responsible for the repair or replacement of any defects at its sole discretion and may utilize the funds posted as security to pay for the repairs.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1128 1128–1140 Reserved

1141 Use of Old Sewer Laterals

Old sewer laterals may be used in connection with new buildings only when approved by the District after examination. Approval shall be in the form of a written letter from the District to the owner or contractor.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1142 Lateral Construction Materials & Methods

All sewer laterals and sewer lateral stubs shall be constructed and laid in accordance with the Montana Public Works Standard Specifications as supplemented by Section 3.3 of the Big Sky County Water & Sewer District Standard Specifications & Drawings, current edition. All other applicable rules and regulations of the District also apply. In the absence of code provisions, the materials and procedures set forth in applicable sections of the ASTM and WPCF Manual of Practice No. 9 shall apply.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 5/6/2019

1143 Grade

1. Sewer laterals shall be brought to the building at an elevation below the basement floor to provide a gravity flow connection to the sewer main. In all buildings in which any building drain is too low to permit gravity flow to the public system, sewage shall be lifted by the building owner with a District approved method and discharged to the sewer lateral.
2. Sewer lateral grades shall have a minimum grade from the building to the public sewer of not less than 1.25% (.125 feet in 10 feet) for four inch (4") pipe; .62% (.062 feet in 10 feet) for six inch (6") pipe; and .40% (.040 feet in 10 feet) for eight inch (8") pipe.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1144 Relocation of Laterals

If the owner or contractor requests a new sewer lateral stub to accomplish a gravity flow connection or for any other reason, the sewer lateral stub shall be exposed and abandoned if one has been provided to the property. Abandonment shall include cutting and capping the lateral by District personnel. The abandonment must also be inspected by the District. All costs for sewer lateral abandonment and/or sewer lateral stub relocation shall be paid by the owner.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1145 Separate Connections Required

A separate and independent sewer lateral shall be installed for every building. The District will review on a case by case basis and may approve a multiple connection to a sewer lateral if:

1. it is not feasible to install an additional lateral;

2. installing the lateral is cost prohibitive;
3. if the owner demonstrates that the lateral is sized large enough to accommodate projected flows from the property being served.

In no case shall multiple connections to a sewer lateral be permitted across property lines without the prior written consent of the District.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

1146 Connection Inspection

No person shall uncover, alter, disturb, tamper, or make any connections to the public system without authorization from the District. The person or contractor making a connection to the public system shall have the site prepared safe for inspection and must give the District at least two (2) business days advance notice, Saturdays, Sundays, and holidays excluded, when the sewer lateral, and/or sewer lateral stub is ready for inspection and connection to the public sewer. The connection shall be inspected, tested, and approved by a person authorized by the District prior to backfilling. No connection inspections shall be performed on Friday afternoons, weekends, or holidays.

Statutory References:

Cross References:

History: Originally enacted October 7, 2013

Chapter 12

Reserved

Appendix A

Table of Rates

Schedule of Rates, Fees and Charges

Description	Rate or Charge
<u>METERED RATES</u>	
Wastewater OM&R Base ¹	\$36.10/VRU/month
Wastewater Facility R&R Base	\$33.20/VRU/month
Usage in excess of base ² :.....	
	\$35 per 1000gal per month up to 2x base
	\$70 per 1000gal per month over 2x base
Out-of-District ³	1.5x in-District rate
<u>NON-METERED RATES</u>	
Wastewater OM&R Charge.....	\$36.10/VRU/month
Wastewater Facility R&R Charge.....	\$33.20/VRU/month
<u>MISC. FEES & CHARGES</u>	
Annexation Application Fee	\$100 ⁴
Benefited Property Charge.....	\$6 per lot per month ⁵
Charge for Discontinuance or	
Reestablishment of Service.....	Actual Cost to the District
Connection Application Fee.....	\$200 ⁶

¹Base rate includes 4,000 gal/VRU/month of metered usage.

²Excess usage rounded to the next highest increment of 1000 gallons.

³Out-of-District users shall be metered.

⁴Must be accompanied by a Predesign Application

⁵Any combination of lots less than 7,600 sq ft having the same owner and billed to the same customer shall, for the purpose of this charge, be considered as one lot.

⁶When it is determined by reviewing the application that a sewer main extension is required, then the application fee shall be 5% of the estimated construction cost.

APPENDIX A. TABLE OF RATES

Delinquent Account Fee	\$60 if delinquent on Sept. 1
Extension Application Fee	Actual cost to the District
Industrial Discharge Permit Fee.....	No industrial discharge
Late Payment Fee	permitted at this time
Non-compliant Property Charge	\$10/occurrence
Plant Investment Charge	\$69.30/VRU/month
Pre-design Application Fee	\$9,110 per VRU
Returned Check Fee	\$75.00
Service Request Application Fee	\$20 per occurrence
	No Charge

FINES AND PENALTIES⁷

- Violations relating to wastewater pretreatment standards implemented in the Federal Water Pollution Control Act: \$1,000 Per occurrence
 - Pulling a sewer plug on a main line: \$5,000 Per occurrence
 - Exposing a sewer lateral without the District’s knowledge or permission: \$2,000 Per occurrence
 - Exposing a sewer main without the District’s knowledge or permission: \$3,000 Per occurrence
-

Statutory References:

Cross References:

History: Originally enacted October 7, 2013; revised 11/3/2014; revised 9/20/2016; revised 2/6/2017; revised 4/6/2019; revised 10/14/2019

⁷Fines and penalties are levied as the sum of the listed amounts plus actual cost incurred by District to rectify damage to District infrastructure.

Appendix B

VRU Conversion Schedule

Volume Ratio Unit Conversion Schedule ^{1,2,3}

Property Use	Units	VRUs/Unit
<i>Single Family Residence</i>	1000 sq ft of living area	(1000sqft * 0.5 +0.1)
<i>Duplexes, Townhouses and Condominiums⁴</i>		
Each unit < 1000 sq ft	1000 sq ft of living area	0.95/1000 sq ft
Each unit 1001 < 2000 sq ft	1000 sq ft of living area	0.85/1000 sq ft
Each unit 2001 < 2300 sq ft	1000 sq ft of living area	0.75/1000 sq ft
Each unit > 2300 sq ft	1000 sq ft of living area	0.65/1000 sq ft

¹No less than 1.0 VRU unit will be assigned any building that has a separate service line and/or that is to be billed individually for sewer service.

²If more than one use category is applicable to a particular building, the building will be divided into areas of similar use categories and the net VRU for the building will be computed by adding the VRU determinations for each use category area. For example, if a portion of a building is used as a restaurant and a separate portion is used as an office the building will be divided into a 'restaurant' area and an 'office' area and the net VRU for the entire building will be the sum of the VRU determined separately.

³For uses not specifically described in this table the number of VRU assigned shall be determined on a case-by-case basis by the General Manager.

⁴A residential building or portion thereof shall be considered a duplex, townhouse or condominium if it has more than one kitchen area, and any portion of a residential building or unit that can be used independently of the remainder of the residential building or unit, e.g. lock-off unit, shall be considered a separate residential building or unit.

APPENDIX B. VRU CONVERSION SCHEDULE

Volume Ratio Unit Conversion Schedule (cont.)

Property Use	Units	VRUs/Unit
<i>Additional Residential Uses</i>		
Jacuzzi or hot tub ⁵	Each	0.35
<i>Auto Service Stations</i> ⁶		
	Bay	0.35
<i>Bars or Taverns</i>		
	Seat	0.04
<i>Barber Shops and Beauty Salons</i>		
	Station	0.33
<i>Campgrounds</i> ⁷		
w/o sewer hookup	Space	0.13
with sewer hookup	Space	0.27
<i>Churches</i> ⁸		
w/o kitchen	Seat	0.01
with kitchen	Seat	0.02
<i>Coffee Shops, Snack Bars and Delis</i> ⁹		
0 to 500 sq ft	Each	1.00
Greater than 500 sq ft	1000 sq ft	2.00
<i>Community Centers, Conference Rooms or Assembly Halls</i>		
w/o kitchen	Seat	0.01
with kitchen	Seat	0.02
<i>Daycare</i>		
	Child	0.12
<i>Dormitories or Bunkhouses</i> ¹⁰		
	Bed	0.18
<i>Fitness Centers and Gyms</i>		
0 to 1000 sq ft	Each	2.00
Greater than 1000 sq ft	1000 sq ft	2.00
<i>Hospitals</i>		
	Bed	0.87
<i>Hotels and Motels</i>		
	Room	0.29

⁵Draining to the public system.

⁶Sanitary waste only.

⁷Does not include dump station.

⁸Does not include daycare, school or other frequent usage.

⁹No hot food prep other than microwave.

¹⁰Communal sleeping without kitchen or food service.

APPENDIX B. VRU CONVERSION SCHEDULE

Volume Ratio Unit Conversion Schedule (cont.)

Property Use	Units	VRUs/Unit
<i>Industrial Buildings</i> ¹¹	1000 sq ft	0.23
<i>Laundromats</i>	Wash Machine	2.58
<i>Office Buildings</i>	1000 sq ft	0.58
<i>Rest Homes</i>	Resident	0.44
<i>Restaurants</i>	Seat	0.08
<i>Schools</i>	Student	0.08
<i>Swimming Pools</i> ¹²	Customer	0.05
<i>Retail Stores</i>		
0 to 500 sq ft	Each	0.50
Greater than 500 sq ft	1000 sq ft	1.00

Statutory References:

Cross References:

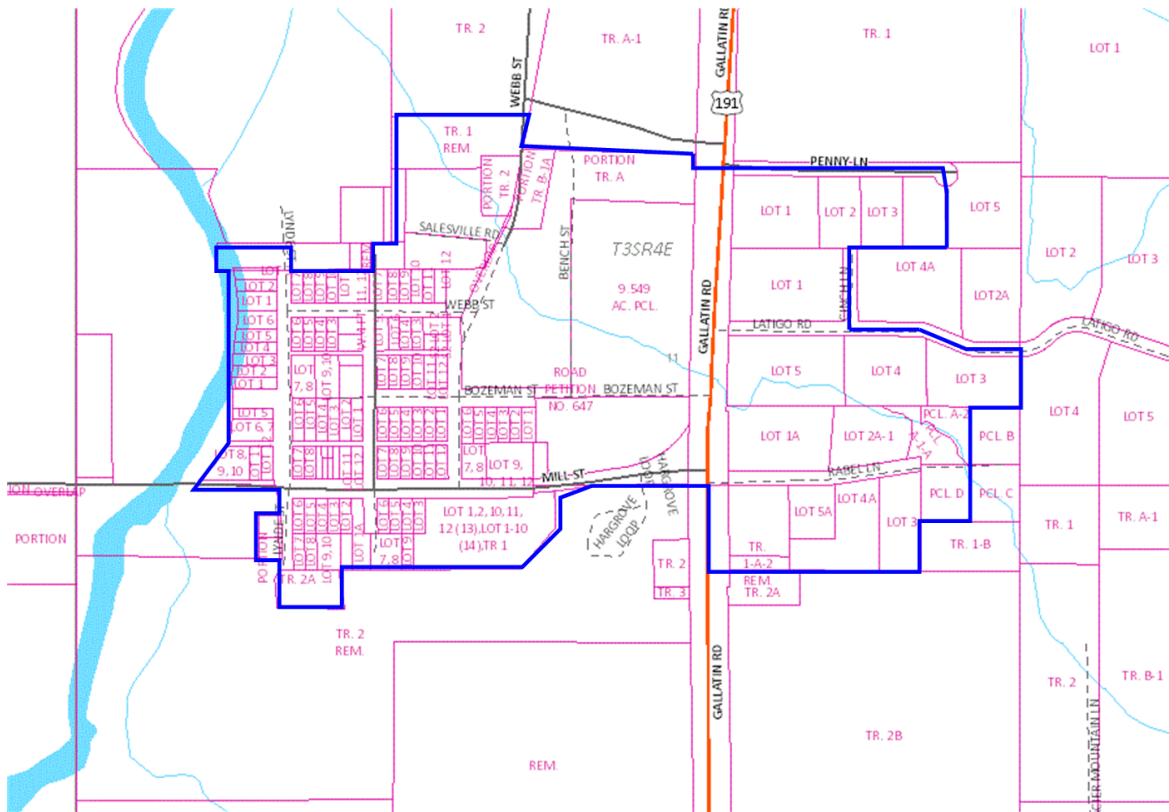
History: Originally enacted November 3, 2014; revised 4/6/2019

¹¹Sanitary waste only.

¹²Sanitary waste only.

Appendix C

Wastewater Service Area



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