

ORDINANCE NO. 523

AN ORDINANCE PROVIDING FOR THE ADOPTION OF A NEW SECTION 4.10 ESTABLISHING A REBATE FOR PRIVATELY FINANCED WATER AND/OR SEWER MAINLINE EXTENSIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA

THE POLSON CITY CODE IS HEREBY AMENDED TO ENACT A NEW SECTION 4.10, WHICH SHALL PROVIDE AS FOLLOWS:

4.10 REBATE FOR PRIVATELY FINANCED WATER AND/OR SEWER MAINLINE EXTENSIONS.

1. Private property owners may contract to install public water and/or sewer mains within public rights of ways or public easements at their own expense after obtaining approval from both the City and State of Montana authorities, and obtaining applicable permits. Said utility mains must be installed in conformance with the rules and regulations of both the City and The State of Montana, and under the direction of the City Engineer or Water and Sewer Superintendent. The property owners shall grant to the City any and all easements required by the City for the operation and maintenance of any such utility lines which are connected to the City Municipal utility systems.

2. Conditioned upon acceptance and approval of the installed public utility mains provided under this section, the property owner(s) who financed the installation, may request the City to establish a rebate for the cost of installation of such utility main lines, and shall file with the City such data as the City shall require to establish the rebate, itemizing all expenses in connection with the installation including construction and engineering costs.

3. Upon acceptance and approval by the City of both the utility lines as installed, and the itemization of expenses, and for a term of fifteen years thereafter, a fund shall be established by the City for the purpose of collecting reimbursement funds from all property owners adjacent to the privately installed main, desiring to tap into such main. The amount of the rebate shall be a proportionate amount of installation cost determined by dividing the installation cost by the number of lots fronting on the main extension. Any property owner desiring to tap into such utility main to connect a building or structure, shall not be issued a connection permit until the proportionate share of the rebate applicable to such property, as determined by the City, has been paid to the City. This rebate is in addition to all other connection charges required by the City.

4. The City Treasurer shall establish a separate rebate fund for each approved utility main rebate as provided under this ordinance and shall disburse the rebate funds when received, to party who financed the installation, or to his heirs, successors and assigns upon presentation of appropriate proof, and if no qualified payee can be located, the rebate funds so collected shall revert to the general funds of the City.

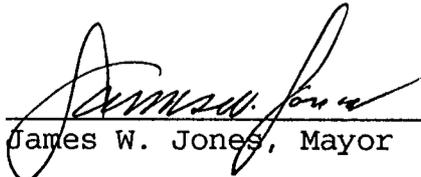
PASSED, APPROVED AND ADOPTED THIS 20th DAY OF September, 1993, THE COUNCIL VOTING AS FOLLOWS:

AYES: 6

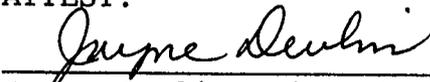
NOES: 0

First Reading: September 6, 1993

Second Reading: September 20, 1993


James W. Jones, Mayor

ATTEST:


Jayne Devlin, City Clerk