

ORDINANCE NO. 524

AN ORDINANCE TO PROVIDE AN EXCEPTION TO THE PROHIBITION AGAINST USE OF SEWAGE HOLDING TANKS WITHIN THE CITY OF POLSON.

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

WHEREAS, the City has concluded that under certain narrowly defined circumstances and subject to close scrutiny and regulation, it is appropriate to allow commercial septic tank pumping operators to install septic holding tanks within the City of Polson in order to assist such operators with Environmental Protection Agency regulation compliance; and

WHEREAS, the City concludes that even though all commercial and residential structures within the City limits are required to connect with the City sewer system, it is appropriate to provide assistance to the owners of structures outside the City limits currently using private sewer discharge systems in order to prevent groundwater contamination;

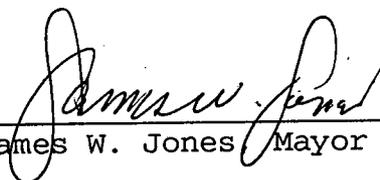
NOW, THEREFORE, the City hereby adopts the following Ordinance to be codified as 4.06.020(E), which shall read as follows:

"As an exception to the foregoing subparagraphs (A) through (D), it shall be lawful for commercial septic tank pumping operators duly licensed by the State of Montana to install sewage holding tanks not to exceed a capacity of 6,000 gallons to be used solely for temporary retention of non-toxic septic waste subject to regulations issued by the Montana Department of Health and the Environmental Protection Agency; provided, however, that such operators shall be required to apply for a holding tank permit which shall be reviewed by the Polson City Sewer Superintendent who shall thereupon make recommendations to the City Council as to whether the City should grant the permit in each instance, and, secondly, the Superintendent shall advise the Council concerning any recommendations and/or conditions which should be imposed taking into consideration the location desired, the surrounding property, and the measures necessary to prevent odor problems and the prevention of unreasonable disruption to the beneficial enjoyment of the surrounding lands. In addition, the Council, with the advice of the Sewer Superintendent, shall with respect to each application take into consideration the likelihood or probability of potential groundwater contamination prior to issuance of the permit.

PASSED, APPROVED AND ADOPTED THIS 3rd DAY OF January, 1994,
THE COUNCIL VOTING AS FOLLOWS:

AYES: 5; 6
NOES: 0; 0

First Reading: December 20, 1993
Second Reading: January 3, 1994


James W. Jones Mayor

ATTEST:


Aggie Loeser, City Clerk