

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

SENATE BILL NO. 215

INTRODUCED BY S. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING AN AMENDMENT TO ARM 17.36.328 TO REQUIRE A ~~PUBLIC WATER SUPPLY OR MUNICIPAL OR COUNTY WATER AND/OR SEWER DISTRICT WATER~~ AND WASTEWATER SYSTEM TO ACCEPT A CONNECTION FROM A PROPOSED SUBDIVISION UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Department to amend rule. (1) The department of environmental quality shall amend ARM 17.36.328 to add a requirement that a ~~public water supply or wastewater system municipal or county water and/or sewer district water and wastewater system~~ must accept a connection request from a proposed subdivision and make public wastewater service available to the subdivision if:

(1)(a) any boundary of the subdivision is within 1,000 feet of any component of the ~~public water supply or wastewater system municipal or county water and/or sewer district water and wastewater system~~;

(2)(b) any boundary of the subdivision is adjacent to a stream, lake, pond, or other body of water, or the department has determined that onsite disposal of wastewater from the subdivision ~~may adversely affect the quality of a stream, lake, or pond~~ does not meet the criteria in 75-5-301 for nonsignificant surface water impacts; and

(3)(c) the ~~public wastewater system municipal or county water and/or sewer district water and wastewater system~~ has an adequate wastewater capacity to meet the needs of the subdivision.

(2) ~~The amendments to ARM 17.36.328 required in this section are subject to subsections (2) and (3) of ARM 17.36.328.~~

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

- END -