

HOUSE BILL 210

Introduced by Spring, et al.

1/16	Introduced
1/16	Referred to Local Government
1/16	First Reading
1/24	Hearing
1/29	Tabled in Committee

1 House BILL NO. 210  
 2 INTRODUCED BY [Signature]  
 3 [Signature]

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CITIES AND  
 5 TOWNS TO COLLECT UNPAID WATER SERVICE CHARGES IN THE SAME  
 6 MANNER AS CITY SEWER SERVICE CHARGES ARE COLLECTED; AND  
 7 AMENDING SECTION 7-13-4309, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 7-13-4309, MCA, is amended to read:

11 "7-13-4309. Procedure to collect water and sewer  
 12 charges. (1) The water and sewer charges shall be collected  
 13 by the treasurer.

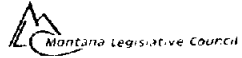
14 (2) On or before July 15 of each year, notice shall be  
 15 given by the city treasurer or town clerk to the owners of  
 16 all lots or parcels of real estate to which water or sewer  
 17 service has been furnished prior to July 1 by the city or  
 18 town. Said notice shall specify the assessment owing and in  
 19 arrears at the time of giving such notice. Such notice shall  
 20 be in writing and shall state the amount of such arrearage,  
 21 including any penalty and interest assessed pursuant to the  
 22 provisions of the city or town ordinance and that unless the  
 23 same is paid by August 15 thereafter, the same will be  
 24 levied as a tax against the lot or parcel of real estate to  
 25 which water or sewer service was furnished and for which

1 payment is delinquent as above specified. The notice shall  
 2 also state that the city or town may by suit collect  
 3 past-due assessments, interest, and penalties, as a debt  
 4 owing the city or town, in any court of competent  
 5 jurisdiction, including the city court. Such notice may be  
 6 delivered to such owner personally or by letter addressed to  
 7 such owner at the post-office address of such owner as  
 8 recorded in the office of the county assessor.

9 (3) (a) Except as provided in subsection (3)(b), on  
 10 September 1, the city treasurer or town clerk shall certify  
 11 and file with the county assessor a list of all lots or  
 12 parcels of real estate, giving the legal description  
 13 thereof, to the owners of which notices of arrearage in  
 14 payments were given as above specified and which arrearage  
 15 still remains unpaid and stating the amount of such  
 16 arrearage, including any penalty and interest. The county  
 17 assessor shall insert the same as a tax against such lot or  
 18 parcel of real estate.

19 (b) In cities where the council has provided by  
 20 ordinance for the collection of taxes, the city treasurer  
 21 shall insert such delinquent amount, including penalty and  
 22 interest, as a tax against the lot or parcel of real estate  
 23 to which water or sewer service was furnished and payment  
 24 for which is delinquent.

25 (4) A city or town may, in addition to pursuing the



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1 collection of assessments in the same manner as a tax, bring  
2 suit in any court of competent jurisdiction, including city  
3 court, to collect the amount due and owing, including  
4 penalties and interest, as a debt owing the city or town."

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