

SENATE BILL 502

IN THE SENATE

February 13, 1979	Introduced and referred to Committee on Local Government.
February 17, 1979	Committee recommend bill, do pass.
February 19, 1979	Printed and plced on members' desks.
February 20, 1979	Second reading, pass consideration. On motion, taken from second reading and rereferred to Committee on Taxation.
April 20, 1979	Died in Committee.

1 *Senate* BILL NO. *502*
 2 INTRODUCED BY *Rasmussen*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A MUNICIPAL
 5 GOVERNING BODY TO ORDER THE INSTALLATION AND ASSESSMENT OF
 6 REPAIR OR REPLACEMENT OF UTILITY SERVICE LINES IN CERTAIN
 7 CIRCUMSTANCES WITHOUT THE FORMATION OF A SPECIAL IMPROVEMENT
 8 DISTRICT."
 9

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

11 Section 1. Utility connections to be repaired. (1) The
 12 governing body of a municipality may order the construction,
 13 reconstruction, or repair of sewer, water, gas, electrical,
 14 or other utility connections prior to the construction,
 15 repair, replacement, or reconstruction of a street without
 16 the formation of a special improvement district if the
 17 governing body orders the utility connections constructed,
 18 reconstructed, or repaired upon a finding that the utility
 19 connection is in need of construction, reconstruction, or
 20 repair.

21 (2) An order for construction, reconstruction, or
 22 repair must be entered in the minutes of the governing body
 23 and must name the street along which the utility connection
 24 is to be constructed, reconstructed, or repaired.

25 Section 2. Notice required. After the making of such

1 order, the governing body must give written notice to the
 2 owners, agents, and all adjacent property owners in a manner
 3 determined by the governing body.

4 Section 3. Assessment for connection. If the owner or
 5 agent of a lot or parcel of land fails or neglects to cause
 6 the utility connections to be constructed, reconstructed, or
 7 repaired within 30 days after receiving notice, the
 8 municipality may construct or cause the utility connections
 9 to be constructed, reconstructed, or repaired and shall
 10 assess the cost thereof, including engineering costs and
 11 other costs enumerated in 7-12-4122, against the property
 12 that receives the utility connection.

13 Section 4. Payment -- utility connection fund. When
 14 any utility connection, or combination thereof, is
 15 constructed, reconstructed, or repaired by or under the
 16 direction of the governing body, payment for the work shall
 17 be made by special warrant in the manner prescribed by
 18 ordinance to be drawn against a fund to be known as the
 19 special utility connection fund. The council may provide for
 20 the payment of interest annually.

21 Section 5. Term of assessment -- levy. (1) The payment
 22 of assessments to defray the cost of construction,
 23 reconstruction, or repair of utility connections, or any
 24 combination thereof, may be spread over a term not to exceed
 25 8 years. Payment must be made in equal annual installments.

1 (2) The governing body shall annually, before the
2 first Monday of October, adopt a resolution levying an
3 assessment and tax against each lot or parcel of land that
4 utility connections have been constructed, reconstructed, or
5 repaired as provided in this section under the orders of the
6 governing body. The resolution levying the utility
7 connection assessments must be prepared and asserted in the
8 same manner as resolutions levying assessments for making
9 improvements in a special improvement district.

-End-

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-2- *SB 502*
 THIRD READING

LC 1061/01

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