

HOUSE BILL 441

Introduced by Wallin

1/26	Introduced
1/26	Referred to Local Government
2/07	Hearing
2/07	Tabled in Committee

1 HOUSE BILL NO. 441  
 2 INTRODUCED BY W. H. H. H.  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO MUNICIPAL  
 5 WATER AND SEWER SERVICES; TO PROVIDE THAT PROPERTY OWNERS  
 6 ARE RESPONSIBLE FOR PAYMENT OF MUNICIPAL WATER AND SEWER  
 7 SERVICES TO THEIR PREMISES; TO PROVIDE THAT DELINQUENT WATER  
 8 CHARGES MAY BE COLLECTED IN THE SAME MANNER AS DELINQUENT  
 9 SEWER CHARGES; AND AMENDING SECTIONS 7-13-4305 AND  
 10 7-13-4309, MCA."  
 11

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

13 Section 1. Section 7-13-4305, MCA, is amended to read:

14 "7-13-4305. Consumers Property owners required to pay  
 15 for services. (1) No-person, firm, or corporation shall A  
 16 premises may not be permitted to use said benefit from the  
 17 services of the water or sewer system unless they pay the  
 18 property owner pays the full and established rate for said  
 19 the service.

20 (2) No-person A property owner may not have service  
 21 reestablished after it is discontinued pursuant to 7-13-4306  
 22 unless they have paid the full amount past due has been  
 23 paid, plus any interest or penalty on such the past-due  
 24 amount, and any required reestablishment deposit."

25 Section 2. Section 7-13-4309, MCA, is amended to read:

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

4 (2) On or before July 15 of each year, notice shall be  
 5 given by the city treasurer or town clerk to the owners of  
 6 all lots or parcels of real estate to which water or sewer  
 7 service has or both services have been furnished prior to  
 8 July 1 by the city or town. Said The notice shall specify  
 9 the assessment owing and in arrears at the time of giving  
 10 such the notice. Such The notice shall be in writing and  
 11 shall state the amount of such the arrearage, including any  
 12 penalty and interest assessed pursuant to the provisions of  
 13 the city or town ordinance, and that unless the same amount  
 14 is paid by August 15 thereafter, the same it will be levied  
 15 as a tax against the lot or parcel of real estate to which  
 16 water or sewer service was furnished and for which payment  
 17 is delinquent as above specified. The notice shall also  
 18 state that the city or town may by suit collect past-due  
 19 assessments, interest, and penalties, as a debt owing the  
 20 city or town, in any court of competent jurisdiction,  
 21 including the city court. Such The notice may be delivered  
 22 to such the owner personally or by letter addressed to such  
 23 the owner at the post-office address of such the owner as  
 24 recorded in the office of the county assessor.

25 (3) (a) Except as provided in subsection (3)(b), on

1 September 1, the city treasurer or town clerk shall certify  
2 and file with the county assessor a list of all lots or  
3 parcels of real estate, giving the legal description thereof  
4 of the lots or parcels, to the owners of which ~~notices-of~~  
5 ~~notice was given and~~ arrearage in payments ~~were--given--as~~  
6 ~~above-specified-and-which-arrearage~~ still remains unpaid and  
7 ~~stating.~~ The notice shall state the amount of ~~such the~~  
8 arrearage, including any penalty and interest. The county  
9 assessor shall insert the ~~same~~ total amount as a tax against  
10 ~~such the~~ lot or parcel of real estate.

11 (b) In cities where the council has provided by  
12 ordinance for the collection of taxes, the city treasurer  
13 shall insert ~~such the~~ delinquent amount, including penalty  
14 and interest, as a tax against the lot or parcel of real  
15 estate to which water or sewer service was furnished and  
16 payment for which is delinquent.

17 (4) A city or town may, in addition to pursuing the  
18 collection of assessments in the same manner as a tax, bring  
19 suit in any court of competent jurisdiction, including city  
20 court, to collect the amount due and owing, including  
21 penalties and interest, as a debt owing the city or town."

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