

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1333

AN ORDINANCE AMENDING SECTION 23-1 OF THE CODE OF
ORDINANCES OF MILES CITY, MONTANA, REMOVING THE DEFINITION
OF SEWER AND/OR WATER SERVICE.

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Section 23-1 shall be amended as follows:

Sec. 23-1. - Annexation required.

The city may, at any time, require a property owner's consent to annexation as a condition of new or continued sewer and/or water service. ~~Sewer and/or water service is defined as the receipt of water or transmission of wastewater from or to the city, regardless of the ownership of the delivery infrastructure which services the property.~~ When the city determines to require such consent from a particular property owner, the city may notify the property owner, in writing, that the city seeks such consent, and that if such consent is not given, the city will require that the property owner discontinue receiving sewer and/or water service. The property owner may notify the city in writing of his or her consent to annexation. If within ten days of the property owner's receipt of such notice, the property owner contacts the city and makes firm arrangements, in writing, to discontinue sewer and/or water service, then the city shall not further pursue obtaining the property owner's consent. If, however, the property owner has not, within ten days, made firm written arrangements to discontinue sewer and/or water service, then the city shall be entitled to treat the property owner as having consented to annexation of his or her property upon the expiration of such ten-day period. The failure by the property owner to respond in writing within ten days shall entitle the city to treat the property owner as having consented upon the expiration of such ten-day period.

If the property owner consents to annexation under any of the methods described above, the property owner may not thereafter withdraw his or her consent to any proposed annexation of his or her property. If the property owner consents to annexation under any of the methods described above, then the city shall be entitled to disregard any protest that such property owner makes to a proposed annexation of his or her property. Nothing herein shall prevent the city from seeking consent even if the city has previously obtained a waiver of protest from such property owner or from his or her predecessor in interest.

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 14th day of May, 2019.

ATTEST:


Lorrie Pearce, City Clerk


John Hollowell, Mayor

FINALLY PASSED AND ADOPTED this 28th day of May, 2019.

ATTEST:


Lorrie Pearce, City Clerk


John Hollowell, Mayor