

**ORDINANCE NO. 1-93**

**ENFORCEMENT ACTION AND GRIEVANCE PROCEDURE**

An ordinance establishing the procedures for the Board of Directors of the Sun Prairie Village County Water and Sewer District to enforce ordinances and for users to present grievances to the Board.

Be it ordained by the Board of Directors of the Sun Prairie Village County Water and Sewer District as follows:

**ARTICLE I**

Purpose

Sec. 1 The Purpose of this ordinance shall be to provide a procedure for the Board of Directors to enforce the ordinances of the District and for users to present grievances to the Board of Directors regarding proposed enforcement actions.

**ARTICLE II**

Notice of Violation

Sec. 1 Upon the District Manager's determination that a violation of a District ordinance has occurred, a notice of violation of the ordinance shall be sent by regular mail to the user. It shall contain a short and plain statement of the factual basis supporting the notice of violation and of the proposed enforcement action.

**ARTICLE III**

Right to Hearing

Sec. 1 The user shall have 10 days from the date of the notice is mailed to request a hearing before the Board regarding the notice of violation. Such request shall be in writing and shall be mailed to the District Manager, Sun Prairie Village County Water and Sewer District, P. O. Box 1127, Great Falls, Montana 59403-1127.

Sec. 2 At the next regularly scheduled Board meeting after issuance of the notice of violation, or at such other time as may be set by the Board, the Board shall hold a hearing. The user and the District Manager shall appear at the hearing and present evidence regarding the violation and the proposed enforcement action.

Sec. 3 At the conclusion of the hearing, the Board shall determine whether a violation occurred. If a violation of an ordinance has occurred, the Board shall direct the District Manager to take enforcement action.

Sec. 4 If no hearing is timely requested by the user, the enforcement action proposed in the notice of violation shall become final.

Sec. 5 If a hearing is timely requested by the user, enforcement action shall be suspended pending the hearing.

**ARTICLE IV**

Informal Resolution

Sec. 1 At any time after the user receives the notice of violation and before any enforcement action is taken, the user and the District Manager may informally resolve the matter.

**ARTICLE V**

Enforcement Action

Sec. 1 Enforcement action for violation of a District Ordinance may include, without limitation, the following:

- a. Payment of delinquent charges;
- b. Imposition of fines;
- c. Termination of water and/or wastewater service;
- d. Imposition of disconnect and reconnect charges;
- e. Shortening any time period in which subsequent payments are to be made and after which payments shall be deemed delinquent;
- f. Termination of any agreement between the user and the District for water and sewer services;
- g. Execution of an new Application and Agreement for Water and Sewer Services containing such terms and conditions as are then required of applicants for water and sewer services;
- h. Payment of a security deposit equal to one a one month payment.

Sec. 2 In situations where water and/or wastewater service has been terminated, the District may require compliance with any or all enforcement actions as a condition precedent to the resumption of service.

Sec. 3 The amount and nature of any enforcement action shall be determined on a case by case basis.

**ARTICLE VI**

Validity

Sec. 1 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 2 The invalidity of any article, section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

**ARTICLE VII**

Ordinance in Force

Sec. 1 This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

Sec. 2 Passed and adopted by the Board of Directors of the Sun Prairie Village County Water and Sewer District, State of Montana on the 16 day of December, by the following vote:

Ayes \_\_\_\_\_  
 \_\_\_\_\_

R. L. Samuel  
Horis Dyke

Nays \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved this 14 day of December, ~~1993~~ <sup>2006</sup> D

(Signed) Horis Dyke, President

Attest:  
(Signed) [Signature], Secretary

Seal

History: Ordinance 2-1993, Enacted April 13, 1993; Amendment 1, Resolution \_\_\_\_\_, 2006 Enacted \_\_\_\_\_, 2006.