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SENATE BILL NO. 215

INTRODUCED BY S. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING AN AMENDMENT TO ARM 17.36.328 TO REQUIRE A PUBLIC WATER SUPPLY OR MUNICIPAL OR COUNTY WATER AND/OR SEWER DISTRICT WATER AND WASTEWATER SYSTEM TO ACCEPT A CONNECTION FROM A PROPOSED SUBDIVISION UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Department to amend rule. (1) The department of environmental quality shall amend ARM 17.36.328 to add a requirement that a public water supply or wastewater system municipal or county water and/or sewer district water and wastewater system must accept a connection request from a proposed subdivision and make public wastewater service available to the subdivision if:

(1)(a) any boundary of the subdivision is within 1,000 feet of any component of the public water supply or wastewater system municipal or county water and/or sewer district water and wastewater system;

(2)(b) any boundary of the subdivision is adjacent to a stream, lake, pond, or other body of water, or the department has determined that onsite disposal of wastewater from the subdivision may adversely affect the quality of a stream, lake, or pond does not meet the criteria in 75-5-301 for nonsignificant surface water impacts; and

(3)(c) the public wastewater system municipal or county water and/or sewer district water and wastewater system has an adequate wastewater capacity to meet the needs of the subdivision.

(2) The amendments to ARM 17.36.328 required in this section are subject to subsections (2) and (3) of ARM 17.36.328.

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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