

CITY OF GREAT FALLS, MONTANA
A G E N D A R E P O R T

AGENDA # 7
DATE February 7, 2006

ITEM Ordinance 2930, Annexation to Continue Water and/or Sewer Service

INITIATED BY David V. Gliko, City Attorney

ACTION REQUESTED Accept Ord. 2930 on first reading and set final reading for February 21, 2006

PRESENTED BY David V. Gliko, City Attorney

RECOMMENDATION:

Staff recommends the City Commission accept Ordinance 2930 on first reading and set final reading for February 21, 2006.

MOTION:

I move the City Commission accept Ordinance 2930 on first reading and set the final reading for February 21, 2006.

SYNOPSIS:

The City presents Ordinance 2930 to require the consent of property owners who will receive city water and/or services on parcels outside the city limits to consent to annexation of such parcels as a requirement for continuation of city water and/or sewer service. It is the intention of the city to implement such annexation on several parcels located outside city limits.

BACKGROUND:

It is long been the policy of the city not to allow water and/or sewer services outside the city limits without annexation. However, a number of parcels located outside the city limits are receiving such services through utility connections made over 20 years ago. To remain consistent with the city policy of requiring annexation before the extension of water and/or sewer service, it is deemed necessary to annex all parcels located outside the city limits receiving such utility service. MCA 69-7-201, authorizes the city to require annexation of such parcels located outside city limits as a condition of the continuation of existing water and/or sewer service. The Montana Attorney General opined the city must adopt an ordinance requiring such annexation as a condition for the continuation of water and/or sewer services before taking action on such annexation. Therefore, it is recommended the City Commission adopt Ordinance 2930 prior to annexation of those parcels located outside the city limits as a condition of the continuation of city water and/or sewer service.