

ORDINANCE NO. 2024-09

AN ORDINANCE AMENDING THE HARDIN CITY CODE CURB STOP AND CURB STOP BOX REPLACEMENT FUND

WHEREAS, the City of Hardin desires to modify and change the City Code of Hardin, Montana in order to amend the curb stop and curb stop box replacement fund in the City of Hardin, Montana;

WHEREAS, the City of Hardin has the authority to fix and establish, by ordinance or resolution, and collect rates, rentals, and charges for the water services, water facilities, and benefits directly or indirectly afforded by the water system, taking into account services provided and benefits received, per Mont. Code Ann. § 7-13-430 (2023);

WHEREAS, the City of Hardin has the power to regulate the construction, use, and repair of vaults, cisterns, hydrants, pumps, sewers, and gutters, per § 7-13-4105;

WHEREAS, the City of Hardin finds that the price of replacements have increased, and desires to change the existing ordinance to reflect the increases.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF HARDIN, MONTANA, Title 3, Chapter 3A, Section 19, Rule 13 is amended by the following changes in the fifth paragraph as follows (strikethrough and underline):

By resolution, the City may establish fees for a general curb stop and curb stop replacement fund. If implemented, the City may charge a fee to each active metered account, both commercial and residential, to be placed into a separate account and used only for the replacement of curb stops and curbs stop boxes in the City of Hardin. Upon determination of the Public Works Director and Mayor, pursuant to this rule, a metered curb stop or metered curb stop box, 2 inches or less, may be replaced and the City may fund up to ~~85~~75% of the cost, but no more than ~~\$1,200~~1,000, towards the cost of the replacement from this fund. Any remaining amount shall be borne by the account holder or property owner. The City is not obligated to use any of the curb stop replacement funds for replacement, and the account holder or property owner may be responsible for the full cost of any curb stop or curb stop box replacements if the property owner or tenant is responsible for the damage to curb stop or curb stop box whether by neglect or action.

DATE OF EFFECT.

The amendment to this ordinance shall take effect and be in force thirty (30) days from the date of its second reading and passage by the City Council as required by law.

FIRST READING AND PASSAGE By a majority vote of the members present this 16th day of July, 2024.

YEAS 6

NAYS 0

[Signature]
Mayor



ATTEST:

[Signature]
City Clerk

POSTED AND MADE AVAILABLE TO THE PUBLIC this 18th day of July, 2024.

[Signature]
City Clerk

SECOND READING AND PASSAGE By a majority vote of the members

present this 6th day of August, 2024.

YEAS 4

NAYS 0

[Signature]
Mayor



ATTEST:

[Signature]
City Clerk