

RAE SUBDIVISION COUNTY WATER AND SEWER DISTRICT NO. 313
ORDINANCE No. O-230920
AN ORDINANCE ANNEXING LAND INTO THE DISTRICT, LOTS 1 and 2 of MINOR
SUBDIVISION 334 CONNECTING TO WATER AND SEWER SERVICES DISTRICT.

RECITALS:

The Rae Subdivision Water & Sewer District #313 is a duly formed Montana county water and sewer district formed on October 3, 1977 (hereinafter also “District”).

The purpose and intent of this Ordinance is to annex land, upon presentation of petition, confirmation of adjacency and determination of adequate water and sewer service availability, commonly referred to as the Lots 1 and 2 of Minor Sub 334, owned by Randy Point and operated as Denny Menholt Honda (“Denny Menholt Honda”).

On August 29, 2023, the landowner, Randy Point, submitted a complete petition for annexation to the District, which is attached hereto as Attachment A. On September 20, 2023, the Board, at its regular meeting, considered the Petition and determined the land which seeks annexation is adjacent to the existing District services with said services having adequate capacity to serve the 6600 gallons per month capacity sought to be treated.

The Petition seeks water and wastewater services. The landowner is solely responsible for irrigation water and the District shall not provide water for irrigation.

Legal Description of Annexed Land. The legal description of the land to be is Lots 1 and 2 of Minor Subdivision 334 located in Section 27, T2S, R5E, P.M.M., Gallatin County Montana.

As the property is operated for the sale and services of automobiles, which involves petroleum products and solvents, the District approves the annexation with notice to the landowners of the District’s regulatory requirement for mandatory installation of and maintenance of sand and oil separators. Pursuant to the same adopted regulations, the District has and reserves the right to inspect those systems. Failure to maintain compliant systems may result in disconnection of water and sewer services.

Section 7-13-2341(5) M.C.A. provides that if the Board of Directors has received a petition for annexation from contiguous property owners, and determines that the District has a water facility or a sewer facility with a capacity greater than required to meet the needs of the current District, then with the written consent of the contiguous property owners to whom the service is to be

extended, the Board of Directors may by ordinance expand the District to include the contiguous land and grant said petition for annexation; and

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the RAE Subdivision County Water and Sewer District No. 313 that the within ordinance be adopted as written, and that the District shall be and is hereby annex Lots 1 and 2 of Minor Subdivision 334 to provide water and sewer capacity of up to 6600 gallons per month.

As the property is operated for the sale and services of automobiles, which involves petroleum products and solvents, the District approves the annexation with notice to the landowners of the District's regulatory requirement for mandatory installation of and maintenance of sand and oil separators. Pursuant to the same adopted regulations, the District has and reserves the right to inspect those systems. Failure to maintain compliant systems may result in disconnection of water and sewer services.

ADOPTED by the Board of Directors after first reading on October 18, 2023 with a vote of 4 in favor and 0 against. This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved:
Dated: October 18th, 2023.

RAE Subdivision County Water and Sewer District

Perry Hoffner
Its: _____

Attested: Valerie Nolan
Valerie Nolan, Secretary

ADOPTED by the Board of Directors second reading on November 15, 2023 with a vote of 3 in favor and 0 against. This Ordinance shall be in effect 30 days after the date of the second reading.

2nd Read and approved:
Dated: November 15, 2023

RAE Subdivision County Water and Sewer District

Richard M. Lee
Its: _____

Attested: Valerie Nolan
Valerie Nolan, Secretary

Attachment A

Petition for Annexation

(see attached sheet)

