



AN ACT DIRECTING AN AMENDMENT TO ARM 17.36.328 TO REQUIRE A 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:

Section 1. Department to amend rule. (1) The department of environmental quality shall amend ARM 17.36.328 to add a requirement that a 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:

- (a) any boundary of the subdivision is within 1,000 feet of any component of the municipal or county water and/or sewer district water and wastewater system;
 - (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 does not meet the criteria in 75-5-301 for nonsignificant surface water impacts; and
 - (c) the 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.

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

- END -