

# RESOLUTION NO. 774

## A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONTANA, TO ISSUE A MORATORIUM ON CONNECTIONS TO OR NEW USES OF THE TOWN'S WASTE WATER TREATMENT SYSTEM

BE IT RESOLVED by the Town Council of the Town of West Yellowstone, Montana, as follows:

**WHEREAS:** The Town has the power and authority to take emergency measures for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Town of West Yellowstone in accordance with §7-3-4326, MCA; and

**WHEREAS:** The Town has received information from its Town Manager and the engineer contracted to review the Town's wastewater treatment system that the current waste water treatment facility has no further capacity to accept any new connections or new uses for treatment; and

**WHEREAS:** Continuing to allow connections to the waste water treatment facility could result in fines and other penalties issued to the Town by the Department of Environmental Quality; and

**WHEREAS:** The Town has 3 pending applications for connection to the Town's water and wastewater systems, which can be met but those applications will use the small amount of capacity currently remaining. Nothing herein shall be considered approval of any pending applications; and

**WHEREAS:** The Town believes it is necessary and proper to prohibit new connections or uses until such time as additional capacity is made available;

**WHEREAS:** This Resolution came before the Town Council for discussion at a work session meeting on May 17, 2022 and a regular Town Council meeting on the same day following the work session, both duly noticed as required and the Town Council provided an opportunity for the public to comment on this Resolution at each meeting prior to a final decision; and

**WHEREAS:** The Town Council of the Town of West Yellowstone believes that it is necessary and proper for the Town to prohibit any new uses of or connections to the waste water treatment system, other than the applications that are currently pending before the Town; and

**WHEREAS:** The Town Council of the Town of West Yellowstone believes it is necessary to issue a moratorium on any new connections or new uses to the Town's waste water treatment system after May 17, 2022, for a period of one year; and

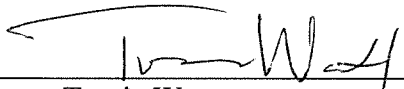
**WHEREAS:** The Town Council believes that the period for evaluation is necessary in order to move forward in completing the design and competitive selection process for the new wastewater reclamation facility in order to preserve the public health, property and safety of the inhabitants of the Town.

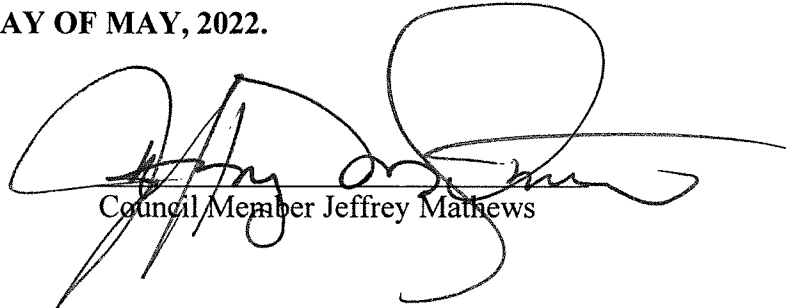
**NOW THEREFORE, BE IT RESOLVED:**

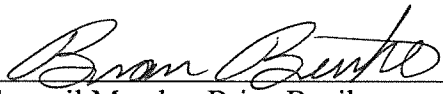
The Town Council of the Town of West Yellowstone, Montana hereby declares a moratorium on any new connections to or uses of the Town's wastewater treatment system effective May 18, 2022 and shall remain in place until such time as the Town receives information that the moratorium is no longer needed, or for a period of one year, which ever shall come first.

This moratorium is effective May 18, 2022.

**PASSED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR  
THIS 17<sup>th</sup> DAY OF MAY, 2022.**

  
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Mayor Travis Watt

  
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Council Member Jeffrey Mathews

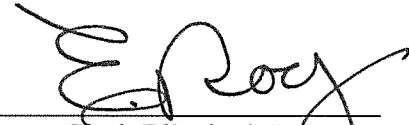
  
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Council Member Brian Benike

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Council Member Lisa Griffith

  
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Council Member Jeff McBinnie



ATTEST:

  
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Town Clerk Elizabeth Roos