

# RESOLUTION NO. 727

## A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONTANA, TO ISSUE A MORATORIUM TO LIMIT 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 Town Engineer that the current waste water treatment facility is in dire need of repairs and may not have sufficient capacity to accept any new connections or new uses for treatment; and

**WHEREAS:** The Town has received numerous applications for connections to the Town's water and wastewater systems for both commercial and residential uses; and

**WHEREAS:** The Town does not yet have sufficient information as to whether the new equipment that will be added to the wastewater treatment system will create the necessary capacity for the current applications that are waiting to connect or the expected growth of the Town through 2020; and

**WHEREAS:** The Town believes it is necessary and proper to limit the number of new connections or uses as the engineers need time to evaluate the efficiency of the new technology that is planned for the treatment plant. and

**WHEREAS:** This Resolution came before the Town Council for discussion at a work session meeting on May 1, 2019 and a special 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 limit the number of new uses or connections to the waste water treatment system. Complete applications will be evaluated in the order they are received. Applications must meet all criteria required for a zoning permit and be evaluated by the Town Engineer according to the current available capacity in the system. The Town shall have the authority to deny applications once full capacity in the system has been reached.

**WHEREAS:** The Town Council believes that the period for evaluation is necessary in order to move forward in obtaining, repairing or replacing its waste water treatment system, while at the same time acting 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 to limit new connections to or uses of the Town's waste water treatment system as set out above.

This moratorium is effective May 2, 2019.

DATED this 1 day of May, 2019.

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Mayor

*Chapman Baker*  
\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

*Steven Muntz*  
\_\_\_\_\_  
Council Member

*Jerry D. Johnson*  
\_\_\_\_\_  
Council Member

ATTEST:

*E. Roy*  
\_\_\_\_\_  
Town Clerk

