

# RESOLUTION NO. 803

## 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 WASTEWATER 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:** On May 17, 2022, the Town Council passed Resolution No. 774, declaring a moratorium on any new connections to or uses of the Town's wastewater treatment system until such time as the Town received information that the moratorium was no longer needed, or for a period of one year, which ever occurred first; and

**WHEREAS:** On May 23, 2023, the Town Council passed Resolution No. 788, continuing the moratorium on any new connections, finding that the conditions which existed with the Town's wastewater treatment system which were the basis for Resolution 774 had not been resolved and the Town has received information from its Town Engineer that the Town's wastewater treatment system is in the same condition, or worse, than it was when Resolution No. 774 was passed;

**WHEREAS:** The one year time period set out in Resolution No. 788 has expired; and

**WHEREAS:** and The Town has been informed that its wastewater treatment system has no further capacity to accept any new connections to or uses of the system; and

**WHEREAS:** Allowing new connections to or uses of the Town's wastewater treatment facility could result in fines and other penalties issued to the Town by the Department of Environmental Quality; and

**WHEREAS:** The Town is in the process of upgrading its wastewater treatment facility with a projected completion date of November 27, 2025 at which time there is estimated to be capacity to treat up to 1.5 million gallons of wastewater per day; 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; and

**WHEREAS:** This Resolution came before the Town Council for discussion at a regular Town Council meeting on July 16, 2024, such meeting being duly noticed as required by law, and the Town Council provided an opportunity for the public to comment on this Resolution

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 wastewater treatment system, until such time as the Town receives information that the moratorium is no longer necessary or for a period of one year, which ever shall come first; and

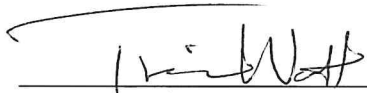
**WHEREAS:** The Town Council of the Town of West Yellowstone believes it is necessary to issue a moratorium on any new connections or new uses to the Town's wastewater treatment system for a period of one year, unless earlier removed.

**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 July 16, 2024 and such moratorium 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.

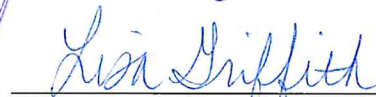
This moratorium is effective July 16, 2024.

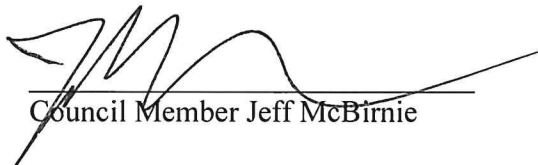
**PASSED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR**  
**THIS July 16 of 2024.**

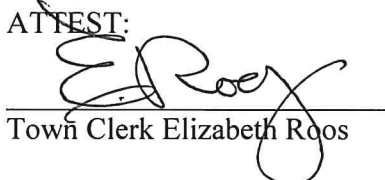
  
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Mayor Travis Watt

  
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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 McBirnie

ATTEST:  
  
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Town Clerk Elizabeth Roos

