

## **STAGE 1: SEWER AVAILABILITY**

### **City Links to Forms and Regulations**

[Title 13 of the Missoula Municipal Code – Public Services](#), (For regulation of all public sewer services in the City)

[City Subdivision Regulations – See Article 3, Section 3-070](#), for sewage disposal requirements.

[City Subdivision Application - See Article 5 of the City Subdivision Regulations](#), for sanitation information requirements when filling out a subdivision application.

[Resolution 7656](#) for requests of Sewer Service to Property Outside the Corporate Limits of Missoula  
[Application to the Sewer Service Review Committee](#)

[Annexation and Development Agreement \(as a Condition for Annexation\)](#)

[Contract Agreement and Petition for Annexation to City](#) to receive City public sanitary sewer  
[Petition Requesting Expansion of the Wastewater Facility Service Area](#), to expand the wastewater service area boundary

[Petition for Annexation to City](#) (with subdivision approval) to receive City public sanitary sewer  
(The four documents noted immediately above are completed by City Engineering staff on behalf of the owner or grantee and sent to owner/grantee for signature)

[What is Required in a Formal Request for Sewer Availability to the City Engineering Division?](#)

Sewer availability letter request and requirements for information needed by City Engineering to write an availability letter

[Resolution 7410](#) – Establishes a Policy for the use of Development Agreements

[Administrative Rule 641](#) – Establishing a Private Sewer Rebate

### **Office of Planning & Grants Links**

[OPG'S Subdivision Review Process & Forms](#)

### **State of Montana Links**

[Municipal Facilities Exclusion Checklist \(MFE\)](#)

[Montana Department of Environmental Quality Website](#)

**For information on City Engineering's Sewer Availability Process, please see Page 2 of this document.**

NOTES:

1. IF A NON-CITY PROJECT OR SUBDIVISION REQUIRES CONNECTION TO CITY SEWER, DEVELOPER'S REPRESENTATIVE MUST FIRST VERIFY SEWER CAPACITY WITH THE CITY ENGINEERING DIVISION AND THEN SUBMIT A REQUEST TO THE CITY OF MISSOULA SEWER SERVICE REVIEW COMMITTEE (SSRC), PRIOR TO THE SUBDIVISION PRE-APPLICATION MEETING WITH THE OFFICE OF PLANNING AND GRANTS (OPG). For more information on the SSRC, contact Jolene Ellerton at [jellerton@ci.missoula.mt.us](mailto:jellerton@ci.missoula.mt.us).
2. BEFORE A PROJECT CAN BE HEARD BY THE SEWER SERVICE REVIEW COMMITTEE THE LAND MUST BE ZONED.
3. MUNICIPAL FACILITIES EXCLUSION CHECKLIST (MFE) - FOR MORE INFORMATION, FOLLOW THE LINK ON PAGE 1 OF THIS DOCUMENT FOR THE DEPARTMENT OF ENVIRONMENTAL QUALITY'S WEBSITE.
4. PUBLIC VS. PRIVATELY MAINTAINED SEWER MAINS - IF A SEWER MAIN IS PRIVATE AND WILL **NOT** BE MAINTAINED BY THE CITY OF MISSOULA THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) WILL NOT REVIEW THE SEWER MAIN EXTENSION THROUGH THE MUNICIPAL FACILITIES EXCLUSION (MFE) PROCESS, IT WILL BE REVIEWED THROUGH DEQ'S SUBDIVISION PROCESS AND COULD TAKE UP TO 60 DAYS.

**QUESTION 1: IS THE PROPOSED SUBDIVISION / PROJECT ENTIRELY WITHIN THE WASTEWATER FACILITY SERVICE AREA BOUNDARY?**

➤ **If yes, then:**

- a. Proceed to Question 2.

➤ **If no, then:**

- a. Developer's Representative fills out and submits an Application to the Sewer Service Review Committee requesting expansion of the wastewater service area to include the entire subdivision property. Resolution 7656 governs sewer service to properties outside the corporate limits.
- b. The Sewer Service Review Committee will meet and review the request for extending sewer service to the property.
- c. If the Sewer Service Review Committee **denies** inclusion into the wastewater service area, then:
  1. The City informs the owner of the denial.
  2. The owner can appeal to the City Council.
  3. The owner may submit a new or revised request for sewer service to the Sewer Service Review Committee once he/she understands why the committee and/or Council denied inclusion.
  4. The owner must notify the City in writing of the intent to return with a revised or amended request within 6 months of the date City Council denied the annexation; or

5. The owner must notify the City in writing of the withdrawal of the request for extension of sewer service and all related requests.
- d. If the Sewer Service Review Committee **approves** the expansion of the wastewater service area; the Developer executes the Petition, Developer's Representative submits the Petition with an exhibit, and then the request is forwarded by Public Works' staff to the Public Works Committee and City Council.
    1. If the City Council **adopts** a resolution expanding the wastewater service area to include the subdivision property:
      - i. Developer's Representative submits a formal request and requirements to City Engineering for a sewer availability letter requesting authorization to extend to the City sewer system.
      - ii. A development agreement must be executed within 30 calendar days of Council's approval of the annexation or the annexation shall become null and void.
      - iii. Developer's Representative may also complete and submit a Municipal Facilities Exclusion, if applicable, for the City Engineer's signature. Note: Developer's Representative cannot sign a Municipal Facilities Exclusion on behalf of the City.
      - iv. City Engineering may issue a sewer availability letter and the sewer availability stage is complete.
    2. If the City Council **denies** the request for expansion of the wastewater service area, only that portion of the subdivision property within the wastewater service area is eligible for sewer service.
      - i. The owner may submit a new or revised request for sewer service to the Sewer Service Review Committee once he/she understands why the committee and/or Council denied inclusion.
      - ii. The owner must notify the City in writing of the intent to return with a revised or amended request within 6 months of the date City Council denied the annexation; or
      - iii. The owner must notify the City in writing of the withdrawal of the request for extension of sewer service and all related requests.
  - e. Proceed to Question 2.

**QUESTION 2:      IS THE PROPOSED SUBDIVISION / PROJECT ENTIRELY WITHIN CITY LIMITS?**

**➤ If yes, then:**

- a. Developer's Representative submits a formal request and requirements to City Engineering for a sewer availability letter requesting authorization to extend to the City sanitary sewer system. The site plan received as a part of the requirements will be used to verify that the subdivision / project is entirely within the corporate limits.

- b. Developer's Representative may also submit a Municipal Facilities Exclusion, if applicable, for the City Engineer's signature. Note: Developer's Representative cannot sign a Municipal Facilities Exclusion on behalf of the City.
- c. City Engineering may issue a sewer availability letter and the sewer availability stage is complete.

➤ **If no, then:**

- a. Developer's Representative fills out and submits an Application to the Sewer Service Review Committee requesting sewer service. Resolution 7656 governs sewer service to properties outside the corporate limits.
- b. The Sewer Service Review Committee will meet and review the request for extending sewer service to the property.
- c. If the Sewer Service Review Committee **denies** the request, then:
  - 1. The City informs the owner of the denial.
  - 2. The owner can appeal to the City Council.
  - 3. The owner may submit a new or revised request for sewer service to the Sewer Service Review Committee once he/she understands why the committee and/or Council denied inclusion.
  - 4. The owner must notify the City in writing of the intent to return with a revised or amended request within 6 months of the date City Council denied the annexation; or
  - 5. The owner must notify the City in writing of the withdrawal of the request for extension of sewer service and all related requests.
- d. If the Sewer Service Review Committee **approves** the request, then the owner(s) must execute a Contract Agreement / Petition to Annex (with subdivision approval) or complete a Petition to Annex with conditions which are set by the Sewer Service Review Committee. Annexation may be required immediately. If not immediately, then as a condition of annexation, the owner must also enter into a development agreement with the City of Missoula.
  - 1. If contract is authorized then Developer's Representative contacts City Engineering to prepare the Contract Agreement and Petition to Annex:
    - i. The Sewer Service Review Committee approval expires within two (2) years of the date of approval.
    - ii. A development agreement must be executed within 30 calendar days of Council's approval of the annexation or the annexation shall become null and void. Resolution 7410.
    - iii. Developer's Representative submits a site plan and a formal request to City Engineering for a sewer availability letter requesting authorization to connect to the City sewer system.
    - iv. Developer's Representative may also submit a Municipal Facilities Exclusion, if applicable, for the City Engineer's signature. Note: Developer's Representative cannot sign the Municipal Facilities Exclusion on behalf of the City.
    - v. City Engineering may issue a sewer availability letter and the sewer availability stage is complete.

- vi. Developer executes the Contract and Petition prior to the two (2) year term; the Contract and Petition are notarized, then City Engineering processes the Contract and Petition.
  - vii. **NOTE: PERMITS WILL NOT BE ISSUED UNTIL THE CONTRACT AND PETITION ARE FULLY EXECUTED.**
2. If Petition to Annex with Subdivision is authorized repeat the “If Yes, Then” portion of Question 2.

### **WHAT HAPPENS ONCE SEWER AVAILABILITY HAS BEEN ESTABLISHED?**

- a. If submitting subdivision plans, Developer's Representative is eligible to proceed with the Office of Planning and Grant's subdivision submittal process, including element review and sufficiency review, for preliminary plat approval. If you have questions, please contact the Office of Planning and Grants at (406)258-4657, or visit the City website at [www.ci.missoula.mt.us](http://www.ci.missoula.mt.us).
  1. Developer's Representative may be required to provide the Office of Planning and Grants with the following information:
    - Copy of the Sewer Service Review Committee Minutes,
    - Copy of a Resolution Expanding the Wastewater Service Area,
    - Copy of a Resolution of Intent to Annex and coordinate subdivision review, a Petition for Annexation, and/or
    - Copy of a Sewer Contract for City Sewer Service.
- b. **PROCEED TO STAGE 3**, Preliminary Construction Plan Review, if the project is not a subdivision.
- c. **PROCEED TO STAGE 2**, Subdivision Sufficiency Approval Process, if the project is a subdivision.