

8-10-94

BOOK 422 PAGE 494

**A RESOLUTION OF CONCURRENCE WITH THE MISSOULA CITY COUNCIL'S
ENACTMENT OF THE MISSOULA VALLEY AQUIFER PROTECTION ORDINANCE**

RESOLUTION NO. 94- 081

WHEREAS, pollution and degradation of surface and ground water pose immediate and long-term threats to the Missoula aquifer and the health, safety and welfare of the citizens of the Missoula community; and

WHEREAS, the local governments of the city and county have limited authority to protect the quality of drinking water, groundwater in the Missoula Valley, and the administration of the Missoula Valley Aquifer Protection Ordinance would provide local authority to protect water quality; and

WHEREAS, the costs of water pollution to the residents of the Missoula Valley may be substantial if preventive measures are not taken; and

WHEREAS, The Missoula City Council enacted the Missoula Valley Aquifer Protection Ordinance as Chapter 13.26 of the Missoula Municipal Code, entitled Aquifer Protection, by enacting Sections 13.26.010 through 13.26.150 on August 8, 1994; and

WHEREAS, the provisions of the Missoula Valley Aquifer Protection Ordinance are deemed to be a health ordinance of the City, and shall be effective within the City Of Missoula and all places within five miles outside the City limits that are within the boundaries of the Missoula Valley Water Quality District, pursuant to § 7-4-4306 MCA (1993) ; and

WHEREAS, the interlocal agreement between the City of Missoula and the County of Missoula to cooperate in the creation, management and administration of a Missoula Valley Water Quality District requires concurrence by the City Council and Board of County Commissioners on local ordinances to be administered by the Water Quality District; and

WHEREAS, A public hearing was held by the Board of County Commissioners and Missoula City Council on the proposed Missoula Valley Aquifer Protection Ordinance on July 25, 1994.

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MISSOULA concurs with the Missoula City Council's enactment of the Missoula Valley Aquifer Protection Ordinance and with its designation of the Missoula Valley Water Quality District as the administering agency for the ordinance on lands within the City of Missoula and all places within five miles outside the City limits that are within the boundaries of the Missoula Valley Water Quality District.

Dated this 10th day of August, 1994

APPROVED AS TO FORM AND CONTENT

Michael W. Sehestedt
Michael Sehestedt
Chief Deputy County Attorney

BOARD OF COUNTY COMMISSIONERS

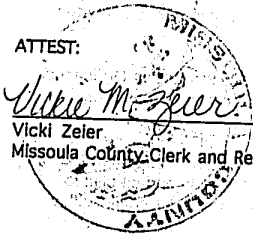
Fern Hart
Fern Hart, Chair

Barbara Evans
Barbara Evans
Commissioner

Ann Mary Dussault
Ann Mary Dussault
Commissioner

ATTEST:

Vicki Zeler
Vicki Zeler
Missoula County Clerk and Recorder



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I RECEIVED AND FILED THIS INSTRUMENT FOR RECORD ON THE 17 DAY OF Aug 1994 AT 8:05 O'CLOCK A.M. AND IT IS RECORDED IN VOL. 422 OF MICRO RECORDS OF THE COUNTY OF MISSOULA, STATE OF MONTANA, ON PAGE 494 FEE PAID
RETURN TO ADDRESS Des 94-081 BY *Angela E. Brundage* DEPUTY DOC RES