

AN ORDINANCE PROVIDING FOR THE REGULATION AND CONTROL OF THE TOWN WATER WORKS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUNDANCE, CROOK COUNTY, WYOMING:

SECTION 1: OWNED AND CONTROLLED BY THE TOWN

The water works system of the Town located both within and outside the corporate limits of the Town and now owned by the Town shall be maintained, controlled and managed exclusively by the Town Council for the purpose of supplying the Town with water for extinguishing of fires and other necessary municipal objectives and purposes and for the further purpose of supplying the inhabitants of the Town with water for domestic, manufacturing, irrigation and other necessary and useful operations.

SECTION 2: SUPERVISION BY THE TOWN ADMINISTRATOR

The Town Administrator, under the direction and supervision of the Mayor and Town Council, shall be responsible for the management, control and supervision of the Town water works system. He shall report to the Town Council at every monthly meeting the condition of the water system and recommend improvements, repairs and extensions as he may deem proper.

SECTION 3: DEFINITIONS

As used in this ordinance:

(a) "Consumer" means the person who has applied for water service and who is receiving water from the Town and who is responsible for payment of all charges for water and in whose name bills are rendered.

(b) "Property Owner" means the individual, partnership or corporation to which water services have been rendered.

SECTION 4: PROTECTION OF WATER WORKS

No person shall damage or interfere with the water supply or water system of the Town, whether owned by the Town or privately owned and connected to the Town's water system. No person shall take water from the Town water system or open any valve or fixture connected with the water supply system without the approval of the Town Administrator or Town Council.

SECTION 5: APPLICATION BY CONSUMER

Except as otherwise provided by ordinance, every person desiring a supply of water must make application to the Town for services.

All applications must be accompanied by a deposit as determined by motion or resolution of the Town Council.

SECTION 6. FEES

(a) A user fee shall be charged for new connections to the Town water system. In addition, a tap fee will be charged every time the water system (private water lines included) is tapped. The tap fee shall be used by the Town to defray all costs of installing a water meter, pipe, etc. and other related costs. Three-quarter inch pipe shall be used in all cases except those in which a larger pipe is required. In the event a larger pipe is required or requested, the tap fee shall be increased in an amount sufficient to defray the actual cost of materials and installation. The user fee and tap fee shall be established by the Town Council by motion or resolution. In addition to the tap fee and user fee, a special user fee will be charged for every unit of apartment buildings, motels and hotels, mobile home parks, commercial buildings and other special uses in an amount as determined by the Town Council by motion or resolution.

(b) A credit will be given toward the user fee for an abandoned connection.

(c) The Town Council may, by majority vote, extend the Town's water system and water services beyond the corporate boundaries of the Town upon terms and conditions as prescribed by the Town Council.

SECTION 7. MAINS TO BE TAPPED BY TOWN

The Town shall tap the water mains, insert corporation cocks and the applicant, his agent, contractor, etc. shall provide service pipe from the corporation cock to the place of use. The applicant, his agent, contractor, etc. will be responsible for all excavation and installation, provided however, the Town shall make the actual tap to the water main. The applicant, his agent, contractor, etc. shall make all connections at the corporation cock and install pipe so that the curb stop shall be located within the street, but within 12 feet of the property line. The Town shall be responsible for cutting and replacement of asphalt. The applicant, his agent, contractor, etc., upon placement of water pipes, shall compact the excavated soil according to Wyoming Public Works standard specifications and reimburse the Town for all costs of cutting and replacement of asphalt.

SECTION 8. SERVICE PIPES TO BE MAINTAINED BY CONSUMER AND PROPERTY OWNER

All consumers and property owners shall maintain in good repair their service pipes and prevent any unnecessary waste of water. All applicants shall be required to install and maintain a curb stop

and shut off valve in the premises served. The Town shall be authorized to terminate services to any consumer and/or property owner in order to prevent any unnecessary waste of water.

SECTION 9. WATER NOT TO BE USED OFF PREMISES

No consumer or property owner shall supply water to other consumers, individuals, partnerships, corporations or other property owners.

SECTION 10. ADDITIONS AND ALTERATIONS

No person shall make or cause to be made any additions or alterations to the Town's water system without permission from the Town Council.

SECTION 11. STANDARDS FOR SERVICE PIPES

All service pipes to be laid underground shall be made of materials approved by the Town Council and shall be placed at least five feet underground.

SECTION 12. COMMON SERVICE

In the event two or more consumers and/or property owners are supplied water from the same service pipe and a consumer and/or property owner connected to the same service pipe fails to pay water charges when due, the Town Council may turn off the water supply from the common service until the delinquent charges are paid in full. No more than one building, consumer, tract of land or enterprise shall be supplied from the same service pipe; provided however, existing services where more than one building, consumer, tract of land or enterprise is currently supplied from the same service pipe shall not be required to alter the common service unless the service is repaired or replaced at which time the common service shall be terminated and a separate service provided for each consumer at the consumer's expense.

SECTION 13. RESTRICTIONS DURING FIRE

It shall be unlawful for any person, during a fire alarm, to use water for fountain, irrigation or sprinkling purposes.

SECTION 14. EFFICIENT USE OF WATER

No person, partnership or corporation shall waste water from the Town water system and when leaks in service pipes, connecting pipes or water fixtures are discovered, consumers and/or property owners shall promptly repair the leaks and if not promptly repaired after

notice from the Town, the Town shall have authority to shut off water until leaks are repaired and if the water is turned off, a service charge shall be charged to the consumer and/or property owner as determined by the Town Council by motion or resolution.

SECTION 15. RIGHT TO SUSPEND USE OF WATER

The Town Council has the right to suspend and regulate the use of water by consumers and/or property owners whenever, in the opinion of the Town Council, the need should arise. The Town shall not be required to provide notice to consumers and/or property owners when emergency repairs to the water system are required. The Town Administrator, with the advise and consent of the Town Council, is hereby authorized to make rules and regulations regarding the hours and times for using water by consumers and/or property owners as may be deemed beneficial and for the best interest of the Town.

SECTION 16. INSPECTION

The Town, its agents, employees, etc. shall have free access at all reasonable hours to enter any premises where water is used for the purpose of determining and reading water meters and further to determine if any violation of this ordinance has occurred.

SECTION 17. ADDITIONAL FIRE PROTECTION

Consumers and/or property owners who desire additional fire protection may apply to the Town Council for additional water service and supply upon terms and conditions as determined by the Town Council.

SECTION 18. ACCESS TO FACILITIES

No person except the Town Administrator or an employee acting under the direction of the Town Administrator shall be allowed to use, own or possess keys to curb stops, pump houses, valves, service pipes, etc. No keys which provide access to the curb stops, pump houses, valves, service pipes, etc. shall be loaned to any other person or allowed to remain in the possession of any other individual other than the Town Administrator or designated employees.

SECTION 19. WATER RATES

The Town Council will ordain and establish water rates by motion or resolution pursuant to the laws of the State of Wyoming and the rules and regulations of the Public Service Commission.

SECTION 20. ESTABLISHING WATER RATES, LIENS AND TERMINATION OF SERVICE

Consumers and/or property owners shall be responsible for payment of all water charges assessed to them, provided however, in the event

of nonpayment of water charges, the Town shall have a lien upon the real property and improvements where the water service is provided for the amount of the unpaid charges together with interest and a reasonable attorney's fee and the Town shall be entitled to foreclose upon its lien in the same manner as liens are foreclosed upon for nonpayment of street assessments pursuant to W.S. §15-6-409 through §15-6-412. In addition, the Town shall have the right to shut off water supply to consumers and/or property owners who fail to pay water charges when due; provided however, the Town shall not terminate water service until notice shall have been given to the consumer and/or property owner by depositing in the United States mail, addressed to the consumer and/or property owner's last address, advising the consumer and/or property owner that the account is delinquent, the amount of the delinquency and a statement advising the consumer and/or property owner to contact the Town at a specific address and phone number for information regarding budget billing or other procedures which the Town may offer to mutually agree upon a solution to avoid termination. In addition, the Town shall not terminate service if termination during any period of time would tend to endanger the health of the consumer and/or property owner because of such factors as weather extremes or health of the consumer and/or property owner. When termination of service has occurred, no person shall reconnect or turn on the discontinued water service without the written consent of the Town Council and only after payment of the service charge established by motion or resolution of the Town Council.

SECTION 21. PENALTY

Any person found guilty of violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished according to the provisions of ordinance no. 1,
19 83.

SECTION 22. REPEALING CLAUSE

Any and all ordinances in conflict herewith are hereby repealed.

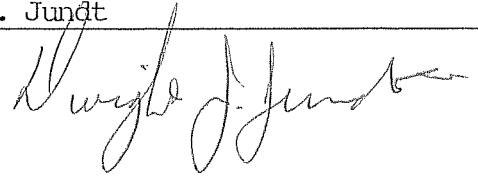
SECTION 23. SEVERABILITY CLAUSE

Should the Courts of this State or the United States declare any Section, provision, paragraph, clause, sentence, phrase or part of this ordinance invalid or unconstitutional or in conflict with any other section, provision, paragraph, clause, sentence, phrase, or part thereof of this ordinance, then such decision shall affect only the section, provision, paragraph, clause, sentence, phrase or part thereof declared to be unconstitutional or unauthorized and shall not affect any other part of this ordinance.

PASSED, ADOPTED AND APPROVED this 7th day of April, 1986.

TOWN OF SUNDANCE

by: Dwight J. Jundt
Mayor



ATTEST:

Lila L. Butts
Town Clerk

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2nd reading March 3, 1986
3rd reading April 7, 1986
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