

# **Title 13 Utilities**

## **Title 13 UTILITIES**

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## **Chapter 13.04 WATER SYSTEM**

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### **13.04.010 Water plant--Management and control.**

The Town shall have exclusive control and management of the municipal water plant belonging to the Town, and shall have exclusive management and control of the supply and distribution of water to all users within and without the corporate limits and shall from time to time make such rules and regulations as are necessary for the complete management, control, distribution, and supplying of water to the users. (Ord. 743 § 2, 2003; Ord. 97 § 1, 1966.)

### **13.04.020 Water supplier--Franchise not granted when.**

No person, firm, or corporation shall be granted any franchise or permit to furnish or supply any inhabitant within the Town any water for the domestic or culinary use or for sprinkling of lawns and gardens within any portion of the Town where the water mains have been extended or may hereafter be extended so as to supply the property with water. (Ord. 743 § 2, 2003; Ord. 97 § 2, 1966.)

**13.04.030 Control of water system.**

- A. The water supply of the Town shall be under the exclusive control of the Mayor and Town Council who may from time to time direct any construction of such works, placing of mains, service pipes, and fire hydrants as the necessity of the Town may require. The usage charge and the water system service charges may be changed from time to time by ordinance of the Town Council.
- B. The purpose of this subsection is: (i) to protect the public water supply against actual or potential contamination through cross-connections by isolating sources of contamination that may occur within a water user's premises because of some undiscovered or unauthorized cross-connection on the premises; (ii) to eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption; (iii) to eliminate cross-connections between drinking water systems and sources of contamination; (iv) to prevent the making of cross-connection in the future.
  - 1. Except as otherwise provided in this code, or other ordinances of the Town, the cross connection provisions of Chapter 12, Section 14 of the Wyoming Department of Environmental Quality Water Quality Regulations are adopted by reference and incorporated herein as if fully set forth herein, with the penalties to be as provided in this Code.

**2. Definitions.**

- a. "Air gap separation" means a physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, but in no case less than one inch (1").
- b. "Approved backflow prevention assembly" means an assembly that has been manufactured in full conformance with the standards established by the American Waterworks Association, entitled: AWWA C506, (Current Revision) Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices; and have passed laboratory and field evaluation tests performed by a recognized testing organization which has demonstrated their competency to perform such test to the town.
- c. "Approved water supply" means any water supply whose potability is regulated by a state or local health agency.
- d. "Auxiliary supply" means any water supply on or available to the premises other than the approved water supply.
- e. "AWWA standard" means an official standard developed and approved by the American Water Works Association (AWWA).
- f. "Backflow" means a flow condition, caused by a differential in pressure, that causes the flow of water or other liquids, gases, mixtures or substances into the distributing pipes of a potable supply of water from any source or sources other than an approved

water supply source. Backsiphonage is one cause of backflow. Backpressure is the other cause.

- g. "Contamination" means a degradation of the quality of the potable water by any foreign substance which creates a hazard to the public health, or which may impair the usefulness or quality of the water.
  - h. "Cross-connection," as used in this chapter, means any unprotected actual or potential connection between a potable water system used to supply water for drinking purposes and any source or system containing unapproved water or substances that is not or cannot be approved as safe, wholesome and potable. By-pass arrangements, jumper connection, removable sections, swivel or changeover assemblies, or other assemblies through which backflow could occur, shall be considered to be cross-connections.
  - i. "Double check valve assembly (DC)" means an approved backflow prevention assembly of two (2) internally loaded, independently acting check valves, including resilient seated shut-off valves on each end of the assembly and test cocks for testing the water-tightness of each check valve.
  - j. "Person" means any individual, corporation, company, association, partnership, municipality, public utility, or other public body or institution.
  - k. "Premises" means any and all areas on a water user's property which are served or have the potential to be served by the public water system.
  - l. "Public water system" means a system for the provision of piped water to the public for human consumption that has fifteen (15) or more service connections or regularly serves an average of twenty-five (25) individuals daily at least sixty (60) days out of the year.
  - m. "Reclaimed water" means a wastewater, which, as a result of treatment, is suitable for uses other than potable use.
  - n. "Reduced pressure principle backflow prevention assembly" means an approved backflow prevention assembly incorporating two (2) internally loaded check valves and an automatically operating differential relief valve located between the two check valves, including resilient seated shut-off valves on each end of the assembly, and equipped with necessary test cocks for testing the assembly.
  - o. "Service connection" refers to the point of connection of a user's piping to the water supplier's facilities.
  - p. "Water supplier" means the person who owns or operates an approved water supply system.
  - q. "Water user" means any person obtaining water from an approved water supply system.
3. **Unprotected cross-connections with the public water supply are prohibited.**  
Whenever backflow protection is found necessary, the Town will require the water user to install an approved backflow prevention assembly by and at the user's expense for continued services or before new service will be granted. For new water meter sets, the required backflow assembly shall be installed, inspected, approved and certified test results provided to the town within five (5) days of meter set, unless the Town Engineer or designee approves otherwise. The service will be locked off if inspections and

certifications are not completed as specified above. Wherever backflow protection has been found necessary on a water supply line entering a water user's premises, then any and all water supply lines from the Town's mains entering such premises, buildings, or structures shall be protected by an approved backflow prevention assembly. The type of assembly to be installed will be in accordance with the requirements of this chapter. (Ord. 756 § 2, 2004)

**4. Where Protection is Required.**

- a. Each service connection from the Town water system for supplying water to premises having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system unless the auxiliary water supply is an approved water supply.
- b. Each service connection from the Town water system for supplying water to premises on which any substance is handled in such fashion as may allow its entry into the water system shall be protected against backflow of the water from the premises into the public system. This shall include the handling of process waters and waters originating from the Town water system which have been subjected to deterioration on sanitary quality. Backflow prevention assemblies shall be installed on the service connection to any premises having (i) internal cross-connections that cannot be permanently corrected and controlled to the satisfaction of the Town, or (ii) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist.

5. **Type of Protection Required.** The type of protection that shall be provided to prevent backflow into the approved water supply shall be commensurate with the degree of hazard that exists on the water user's premises. The type of protective assembly that shall be required (listing in an increasing level of protection) includes: double check valve assembly (DC), reduced pressure principle backflow prevention assembly (RP), and an air-gap separation (AG). The water user may choose a higher level of protection than required by the Town. The minimum types of backflow protection required to protect the approved water supply, at the user's water connection are given in Chapter 12, Section 14 of the Wyoming Water Quality Rules and Regulations. Situations that are not covered in those Regulations shall be evaluated on a case-by-case basis and the appropriate backflow protection shall be determined by the Town. When two (2) or more services supply water from different street mains to the same building, structure, or premises through which an inter-street main flow may occur, each water service shall have at least a standard check valve to be located adjacent to and on the property side of the respective meters. Such check valve shall not be considered adequate if backflow protection is deemed necessary to protect the mains from pollution or contamination; in such cases the installation of approved backflow assemblies at such service connections shall be required.

**6. Backflow Prevention Assemblies.**

- a. Only backflow prevention assemblies, which have been approved by the Town, shall be acceptable for installation by a water user connected to the Town's potable water

- system. The Town will provide upon request, to any affected user, a list of approved backflow prevention assemblies.
- b. Backflow prevention assemblies shall be installed in a manner prescribed in Standard Details for Public Work Construction, as adopted by the Town. Location of the assemblies shall be as close as practical to the user's service connection. The Town shall have the final authority in determining the required location of a backflow prevention assembly.
  - c. Air-Gap Separation (AG). The air-gap separation shall be located on the user's side of and as close to the service connection as is practical. All piping from the service connection to the receiving tank shall be above grade and be entirely visible. NO water use shall be provided from any point between the service connection and the air-gap separation. The water inlet piping shall terminate a distance of at least two pie diameters of the supply inlet, but in no case less than one inch above the overflow rim of the receiving tank.
  - d. Reduced Pressure Principle Backflow Prevention Assembly (RP). The approved reduced pressure principle assembly shall be installed on the user's side of and as close to the service connection as is practical. The assembly shall be installed a minimum of twelve inches above grade and not more than thirty-six inches above grade, measured from the bottom of the assembly, and with a minimum of twelve inches side clearance. The assembly shall be installed so that it is readily accessible for maintenance and testing. Water supplied from any point between the service connection and the RP assembly shall be protected in a manner approved by the town.
  - e. Double Check Valve Assembly (DC). The approved double check valve assembly shall be installed on the user's side of and as close to the service connection as is practical. The DC shall be installed above grade, if possible, and in a manner where it is readily accessible for testing and maintenance. If a double check valve assembly is put below grade it must be installed in a vault such that there is a minimum of six inches between the bottom of the vault and the bottom of the assembly, so that the top of the assembly is a maximum of eight inches below grade, so there is a minimum of twenty-four inches of clearance between the side of the assembly with the test cocks and the side of the vault, and so there is a minimum of twelve inches clearance between the other side of the assembly and the side of the vault. Special consideration must be given to double check valve assemblies of the "Y" type. These assemblies must be installed on their "side" with the test cocks in a vertical position so that either check valve may be removed for service without removing the assembly. Vaults that do not have an integrated bottom must be placed on a three-inch layer of gravel.
  - f. Backflow Prevention Assembly Testing and Maintenance. The owner of any premises on which, or on account of which, backflow prevention assemblies are installed, shall have the assemblies tested by a person who has demonstrated their competency in testing of these assemblies to the Town. Backflow prevention assemblies must be tested at least annually and immediately after installation, relocation or repair. The Town may require a more frequent testing schedule if it is determined to be necessary. NO assembly shall be placed back in service unless it is functioning as required. A report in a form acceptable to the Town must be filed with the Town each

- time an assembly is tested, relocated, or repaired. These assemblies shall be serviced, overhauled, or replaced whenever they are found to be defective and all costs of testing, repair, and maintenance shall be borne by the water user. The Town will supply affected water users with a list of persons acceptable to the Town to test backflow prevention assemblies. The Town will notify affected customers by mail when periodic testing of an assembly is required and also supply users with the necessary forms, which must be filled out each time an assembly is tested or repaired.
- Backflow Prevention Assembly Removals.** Approval must be obtained from the Town before a backflow prevention assembly is removed, relocated, or replaced. The use of an assembly may be discontinued and the assembly removed from service upon presentation of sufficient evidence to the Town to verify that a hazard no longer exists or is not likely to be created in the future.
- g. Relocation. An assembly may be relocated following confirmation by the Town that the relocation will continue to provide the required protection and satisfy installation requirements. A retest will be required following the relocation of the assembly.
  - h. Repair. An assembly may be removed for repair, provided the water use is either discontinued until repair is completed and the assembly is tested and returned to service, or the service connection is equipped with other backflow protection approved by the Town. A retest will be required following the repair of the assembly.
  - i. Replacement. An assembly may be removed and replaced provided the water use is discontinued until the replacement assembly is installed and tested. All replacement assemblies must be approved by the Town and must be commensurate with the degree of hazard involved. A retest will be required following the replacement of the assembly.

**7. Administrative Procedures.**

- a. Water System Survey. The Town shall review all requests for new services to determine if backflow protection is needed. Plans and specifications must be submitted to the Town upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention assembly is necessary to protect the public water system, the required assembly must be installed before service will be granted. The Town may require an on-site inspection to evaluate cross-connection hazards. The Town will transmit a written notice requesting an inspection appointment to each affected water user. Any water user who cannot or will not allow an on-premises inspection of premises piping systems shall be required to install the backflow prevention assembly or air-gap the Town considers necessary. The Town may, at its discretion, require a re-inspection for cross-connection hazards of any premises to which it serves water. The Town will transmit a written notice requesting an inspection appointment to each affected water user. Any water user who cannot or will not allow an on-premises inspection of premises piping systems shall be required to install the backflow prevention assembly or air-gap the Town considers necessary.
- b. Customer Notification - Assembly Installation. The Town will notify the water user of the survey findings, listing the corrective actions to be taken if any are required. A period of sixty days will be given to complete all corrective actions required,

- including installation and testing of approved backflow prevention assemblies or air-gap, unless a written extension is granted. A second notice will be sent to each water user who does not take the required corrective actions prescribed in the first notice, within the sixty-day period allowed. The second notice will give the water user a two-week period to take the required corrective action. If no action is taken within the two-week period, the Town may terminate water service to the affected water user until the required corrective actions are taken.
- c. Customer Notification - Testing and Maintenance. The Town will notify each affected water user when it is time for the backflow prevention assembly, installed on their service connection, to be tested, or the air-gap to be inspected. This written notice shall give the water user thirty days to have the assembly tested or air-gap inspected, and supply the water user with the necessary form to be completed and resubmitted to the Town. A second notice shall be sent to each water user who does not have the backflow prevention assembly tested or air-gap inspected as prescribed in the first notice within the thirty-day period allowed. The second notice will give the water user a two-week period to have the backflow prevention assembly tested or the air-gap inspected. If no action is taken within the two-week period, the Town may terminate water service to the affected water user until the subject assembly is tested, or air-gap inspected.
  - d. Water Service Termination.
    - i. General. When the Town encounters water users that represent a clear and immediate hazard to the water supply that cannot be immediately abated, the Town shall institute the procedure for discontinuing the Town's water service. Conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following items: (1) refusal to install a required backflow prevention assembly or air-gap separation; (2) refusal to test a backflow prevention assembly or inspect an air-gap separation; (3) refusal to repair a faulty backflow prevention assembly; (4) refusal to replace a faulty backflow prevention assembly; (5) direct or indirect connection between the public water system and a sewer line; (6) unprotected direct or indirect connection between the public water system and a system or equipment containing contamination; (7) unprotected direct or indirect connection between the public water system and an auxiliary water system; (8) a situation that presents an immediate health hazard to the public water system.
    - ii. Water Service Termination Procedures. For conditions 1, 2, 3, or 4 of subsection 7(d)(i) above, the Town will terminate service to a customer's premises after two written notices have been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allotted time period water service may be terminated. For conditions 5, 6, 7, or 8 of subsection 7(d)(i) above, the Town will take the following steps: Make a reasonable effort to advise the water user of intent to terminate water service; Terminate the water supply and lock the service valve. The water service will remain inactive until corrections of violations have been approved by the Town.

8. **Penalties.** The Town Administrator or his/her designee shall have the authority to enforce this section. It is unlawful for any person, firm, or corporation at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatsoever, any cross-connection between plumbing pipes or water fixtures being served with water by the Town water system and any other source of water supply or to maintain any sanitary fixture or other appurtenances or fixtures which, by reason of their construction, may cause or allow backflow of water or other substances into the water supply system of the Town and/or the service of water pipes or fixtures of any customer of the town. Any violations of the provisions of this section or rules or regulations promulgated thereof, shall be an infraction, punishable by a fine of not less than twenty-five dollars (\$25.00), nor more than Seven Hundred Fifty dollars (\$750.00). Each day that a violation exists shall constitute a separate and distinct offense.

(Ord. 748 § 1, 2003; Ord. 743 § 2, 2003; Ord. 664 § 2, 2000; Ord. 539 § 1, July 1996, Ord. 97 § 3, 1966.)

**13.04.040 Superintendent of waterworks--Appointment and powers.**

Repealed. (Ord. 664 § 1, 2000; Ord. 97 § 4, 1966.)

**13.04.050 Supply--How obtained--Installation fees.**

A. Any person desiring to obtain a supply of water from the waterworks shall make application by building permit to the Planning & Building Department and file an acknowledgment therewith that he shall be governed by the laws and regulations as may be provided by the Mayor and Town Council for the control of water supply. The application for water must state the location, kind of building, number of rooms, and the entire area of grounds to be supplied, state the purpose for which the water is to be used, and the size of water meter required. The applicant shall pay a water capacity fee based upon the size of the water meter placed upon the service line running from the Town main to the property of the applicant, as follows:

<u>Size of the Water Meter</u>	<u>Capacity Fee</u>
¾ inch	\$ 690
1 inch	1,227
1 ¼ inch	1,918
1 ½ inch	2,761
2 inch	4,909
2 ½ inch	7,670
3 inch	11,044
4 inch	19,633
6 inch	44,176
8 inch	78,533

Water capacity fees for service lines, which fall between the above listed sizes, shall be charged at the rate of the larger standard size. (Ord. 992 § 1, 2011; Ord. 935 § 1, 2009; Ord. 866 § 1, July 2008.)

- B. There shall be no additional charge for capacity fees for fire protection systems; provided, however, that all taps into the mains of the Town for fire sprinkler system services shall be separate taps subject to all other conditions with respect to taps and payment for materials.
- C. The provisions of Subsection A above with respect to capacity fees may be amended from time to time by ordinance adopted by the Town Council.
- D. The Town Engineer shall have the responsibility for interpreting the provisions of Subsections A, B, and C hereof. If in the opinion of the Town Engineer unique circumstances exist making the strict application of the schedule set forth in Subsection A inappropriate, the matter shall be presented to the Town Council at a regular or special meeting duly called for the purpose of deciding the appropriate fee to be charged. An applicant aggrieved by a determination of the Town Engineer with respect to the fees to be charged pursuant to Subsection A hereof shall have a similar right of review before the Town Council. (Ord. 743 § 2, 2003; Ord. 664 § 3, 2000; Ord. 538 § 1, 1996; Ord. 410 § 1, 1990; Ord. 270 § 1, 1980: )

**13.04.060 Granting of applications.**

If the application is granted, the Public Works Department shall be authorized to extend the water mains to include the property. All expenses related to any extension from the water main to a private lot or within a private lot shall be borne by the property owner(s) or their designated representative. All connections to the water mains shall be done by or under the supervision of the Public Works Department.

Service Line Provision Fees (Water)										
Size	3/4"	1"	1 1/2"	2"	3"	4"	6"	8"	10"	12"
Corp Stop	\$44.50	\$50.00	\$98.00	\$158.00	Not Used	Not Used	Not Used	Not Used	Not Used	Not Used
Curb Valve	\$47.50	\$71.00	\$128.75	\$186.00	Not Used	\$619.00	\$860.00	\$1,274.00	\$1,908.00	\$2,915.00
Copper Pipe (ft)	\$6.50	\$8.50	\$13.00	\$22.25	Not Used	Not Used	Not Used	Not Used	Not Used	Not Used
Curb Valve Box	\$72.50	\$72.50	\$72.50	\$72.50	Not Used	\$133.00	\$133.00	\$133.00	\$133.00	\$133.00
Tapping Sleeve	Not Used	Not Used	Not Used	Not Used	See Chart	See Chart	See Chart	See Chart	See Chart	See Chart
Saddle	See Chart	See Chart	See Chart	See Chart	Not Used	Not Used	Not Used	Not Used	Not Used	Not Used
Labor	\$120.00	\$120.00	\$120.00	\$120.00	\$545.00	\$584.25	\$584.25	\$584.25	\$584.25	\$584.25
Fee Subtotal	\$291.00	\$322.00	\$432.25	\$558.75	\$545.00	\$1,336.25	\$1,577.25	\$1,991.25	\$2,625.25	\$3,632.25

**Saddle Fees**

Size	4 by 1	4 by 2	6 by 1	6 by 2	8 by 1	8 by 2	10 by 1	10 by 2	12 by 1	12 by 2	14 by 1	14 by 2
Saddle Fee	\$69.00	\$84.00	\$80.00	\$93.00	\$92.00	\$107.00	\$110.00	\$129.00	\$129.00	\$148.00	\$152.00	\$160.00

**Tapping Sleeve Fees**

Size	4X4	6X4	6X6	8X4	8X6	8X8	10X4	10X6	10X8	10X10	12X4	12X6	12X8	12X10	12X12
Tap Sleeve Fee	\$636	\$664	\$757	\$687	\$764	\$951	\$747	\$811	\$1,027	\$1,700	\$884	\$972	\$1,174	\$1,849	\$2,197
Valve Box	\$117 sizes 4 to 14														

Size	14X4	14X6	14X8	14X10	14X12
Tap Sleeve Fee	\$936	\$1,034	\$1,292	\$1,972	\$2,319
Valve Box	\$117 sizes 4 to 14				

(Ord.992, §1,2011; Ord.935, §1,2009; Ord. 866 § 1, July 2008; Ord. 757 § 2 ,2004; Ord. 743 § 2, 2003; Ord. 684, § 1, 2001; Ord. 664 § 4, 2000; Ord. 254 § 1, 1979; Ord. 97 § 6, 1966.)

**13.04.065 Connection of groundwater heating and cooling systems prohibited.**

It is unlawful for any person to connect, direct the connection of or permit the connection of any groundwater heating or cooling system to the water system of the Town, provided that this prohibition shall not apply to conventional evaporative cooling systems or conventional air-conditioning systems not utilizing large volumes of water for heat exchange. (Ord. 743 § 2, 2003; Ord. 307 § 1, 1983.)

**13.04.070 Service pipe --Stopcock required.**

At every service pipe there shall be placed 6" inside of the customer's property line a stop-cock and key box which shall be paid for by the water consumer, and shall be under the exclusive control of the Town.

(Ord. 759 § 2, 2004; Ord. 743 § 2, 2003; Ord. 97 § 7, 1966.)

**13.04.080 Service pipe --Permit for extension.**

No extension of service pipe shall be made without obtaining a permit from the Town Planning & Building Department and every building, except it be a private garage in connection with the dwelling house, shall have a separate service pipe. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. (Ord. 743 § 2, 2003; Ord. 664 § 5, 2000: Ord. 97 § 8, 1966.)

**13.04.090 Unauthorized use of water.**

If any water consumer shall permit any other person from other premises or any unauthorized person to use or obtain water from his premises or water fixtures whatever, inside or outside of his building, the supply of water of such persons may be terminated. Any unauthorized person taking water from another's premises is guilty of a misdemeanor and upon conviction thereof is liable to a fine not exceeding seven hundred fifty dollars. (Ord. 743 § 2, 2003; Ord. 664 § 6, 2000: Ord. 97 § 9, 1966.)

**13.04.100 Town not liable for damages.**

The Town shall not be liable to the users of any water caused by interruptions of water supply, scarcity of water, accidents to works or mains, or during the time of alterations, additions, or repairs, or for any other unavoidable causes. (Ord. 743 § 2, 2003; Ord. 97 § 10, 1966.)

**13.04.110 Inspection of premises.**

Free access shall at all reasonable hours be allowed to the Public Works Department to all places supplied with water from the municipal water plant, in accordance with Section 1.08.010 of this code to examine the apparatus, the amount of water used, and the manner of its use; and to ascertain any violation of the rules and regulations controlling the supply of water and the charges made therefore. (Ord. 743 § 2, 2003; Ord. 664 § 7, 2000: Ord. 97 § 11, 1966.)

**13.04.120 Violation of rules and regulations.**

Any water user who intentionally or willfully violates any of the rules and regulations controlling the supply of water and the distribution of the same or willfully and knowingly draws a larger supply than his application calls for, shall be liable to have his supply of water terminated and shall forfeit all amounts paid. (Ord. 743 § 2, 2003; Ord. 664 § 8, 2000; Ord. 97 § 12, 1966.)

**13.04.130 Waste prohibited.**

- A. It is unlawful for any water user to waste or allow it to be wasted by imperfect stops, valves, leaky joints or pipes, or to allow tanks of water or troughs to leak or overflow, or wastefully run water from a faucet or stop, or through basins, water closets, urinals, or other apparatus, or to use the water wastefully for a purpose other than those for which he has paid, or to use water in any violation of the rules and regulations for the control of the water supply under the provisions of this chapter, or of any rules and regulations to be hereinafter provided by the Mayor and Town Council.
- B. Any person violating any of the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed seven hundred fifty dollars and shall be subject to have his supply of water terminated. (Ord. 743 § 2, 2003; Ord. 664 § 9, 2000; Ord. 97 § 13, 1966.)

**13.04.140 Regulation of water for sprinkling purposes--Proclamation.**

In time of scarcity or when the plant is unable to furnish a sufficient supply of water for all purposes, the Mayor shall by proclamation limit the use of water for other than domestic purposes to such an extent as may be necessary for the public good. (Ord. 743 § 2, 2003; Ord. 97 § 14, 1966.)

**13.04.150 Proclamation of limited use--Violation.**

If after the Mayor has issued a proclamation regulating the use of water, any person or persons, by himself, family, servant, or agent who violates the provisions of such proclamation made by the Mayor of the Town, is guilty of a misdemeanor and shall be punished by a fine of not to exceed seven hundred fifty dollars. (Ord. 743 § 2, 2003; Ord. 664 § 10, 2000; Ord. 97 § 15, 1966.)

**13.04.160 Pipes to be kept in good repair.**

All water users shall keep their service pipes, connections, and other apparatus in good repair and protected from frost at their own expense and in such conditions that they will not waste or permit the waste of water. All leaks in the service or any other pipe or fixture on the premises of the consumer shall be immediately repaired. Upon failure to repair any such leak, the service may be discontinued until repairs are made. (Ord. 743 § 2, 2003; Ord. 97 § 16, 1966.)

**13.04.170 Excavation prohibited without permit.**

No person or persons without first having obtained a permit from the Town Planning & Building Department shall be allowed to dig into the street or under the sidewalk for the purpose of laying, removing, or repairing any service pipe. (Ord. 743 § 2, 2003; Ord. 97 § 17, 1966.)

**13.04.180 Liens for unpaid bills.**

In the event that the charges for the water furnished upon any premises for any purpose are not paid when due and payable in accordance with the terms and provisions of this chapter, the Town Clerk may make and file a lien in behalf of the Town for the amount due and within the time and in the manner provided for filing liens of mechanics and material men under the provisions of the law of the State of Wyoming, and such lien shall bind the premises in the same manner and to the same extent as such material men's and mechanic's liens are binding under the State law and shall be foreclosed in the same manner. Upon foreclosure thereof costs shall in like manner be allowed or the Town may sue to recover the amount due for such rental from the person liable without filing a lien. In like manner a lien may be filed and foreclosed or suit brought to enforce the payment for any labor or material furnished or supplied by the Town. (Ord. 743 § 2, 2003; Ord. 97 § 18, 1966.)

**13.04.190 Bills --When due--Delinquency.**

Water bills will be processed and mailed the first of the month following the month of meter reading. All bills for water are payable monthly in arrears and are due on the last day of each month. All water bills shall be delinquent at the close of the office on the last day of the month on which they fall due, unless such day is a legal holiday, in which event they shall be delinquent at the close of the office on the next succeeding regular business day. For all bills that become delinquent, the amount thereof, and interest at a rate of 18% per annum on the unpaid balance, may be recovered by the Town.

(Ord. 755 § 2, 2004; Ord. 743 § 2, 2003; Ord. 721 § 1, 2003; Ord. 664 § 11, 2000; Ord. 382 § 1, 1988; Ord. 230 § 1, 1977;;Ord. 97 § 19, 1966.)

**13.04.200 Delinquency--Shutting off water.**

Water may be shut off when a water bill upon any premises has deemed delinquent and unpaid for forty-five (45) days. The Town Finance Department shall have power to turn off the water from the premises until such past due charges, together with such other costs as may be accrued in accordance with Section 13.04.190, shall have been fully paid and discharged. (Ord. 743 § 2, 2003; Ord. 664 § 12, 2000; Ord. 97A § 1, 1972; Ord. 97 § 20, 1966.)

**13.04.210 Shutting off water--Notice not required.**

Notice shall not be required to the owner, lessee, or any occupant of the property, or any person interested therein before turning off such water, but this section shall be deemed notice to all persons interested that unless the water supplied to such premises is paid the water supplying such premises may be shut off. (Ord. 743 § 2, 2003; Ord. 664 § 13, 2000; Ord. 97 § 21, 1966.)

**13.04.220 Shutting off water--Charges.**

When charges for water are unpaid, or for any other reason due to the violation of the rules and regulations adopted, it becomes necessary to shut off the supply of water to any premises before the same is again turned on, the Finance Department shall charge and collect a one hundred fifty dollars (\$150) fee for turning off the water and a one hundred fifty dollars (\$150) fee for turning the water on. Water will not be turned on to any premises unless the owner or resident of such premises is present.

(Ord. 743 § 2, 2003; Ord. 664 § 14, 2000; Ord. 550 § 1, 1996; Ord. 97 § 22, 1966.)

**13.04.230 Discontinuance of service by joint users.**

Where two or more parties or premises are supplied by the same service pipe, the failure on the part of either party to comply with this chapter shall warrant the Public Works Department in withholding a supply of water through the service pipe until a separate pipe with stop cock and key box is put in for each separate consumer. All new construction must have its own service line. (Ord. 743 § 2, 2003; Ord. 664 § 15, 2000; Ord. 97 § 23, 1966.)

**13.04.240 Unauthorized turning on of water.**

Any person whose water service has been terminated due to nonpayment of billings or any other reason that turns the water on, or permits the water to be turned on, or uses or permits the water to be used without authority, is guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not to exceed seven hundred fifty dollars. (Ord. 743 § 2, 2003; Ord. 97 § 24, 1966.)

**13.04.250 Private pipes--Permission required.**

No person shall be allowed to convey water from any ditch or place to supply water for domestic use or for fountains, mechanical or other purposes, within the Town unless he first obtains permission from the Town. (Ord. 743 § 2, 2003; Ord. 97 § 25, 1966.)

**13.04.260 Notice of discontinuance of use.**

Any water user not using the water after the first of any month must report the same to the Town Finance Department and have the water shut off, and if he fails to do so the full amount for the month must be paid. No allowance shall be made for nonusage for less than one month. The owner of the premises shall be responsible for water furnished. No volume or base charges will be assessed when the water is shut off after proper notification to the Town Finance Department. The Town shall charge ten (\$10) dollars for each time the water is turned off or on for residences and fifteen (\$15) dollars each for business or commercial users. (Ord. 743 § 2, 2003; Ord. 664 § 16, 2000; Ord. 97 § 26, 1966.)

**13.04.270 Charges--Statement of amount due.**

The Town Finance Department shall furnish each property owner, landlord or his agent, on the first of the month a statement of the amount due for water for the prior month. The failure of any user of water to receive a notice or statement will in no way affect the rights of the Town to shut off water for nonpayment of bills. (Ord. 743 § 2, 2003; Ord. 664 § 17, 2000; Ord. 230 § 2, 1977; Ord. 97 § 27, 1966.)

**13.04.280 Charges--Credit for service to town.**

Repealed. (Ord. 664 § 1, 2000; Ord. 97 § 28, 1966.)

**13.04.290 Sprinkling lawns. Nozzle size. Use restrictions.**

Repealed. (Ord. 743, 2003; Ord. 97 § 29, 1966)

**13.04.300 Water rates.**

A. Charges for water system service and the usage of Town water shall include two components: user charges and base charges.

User Charges	
Volume charge per 1,000 gallons	\$ 1.31
Base Charges	
Monthly fixed charge based on meter size	
¾ inch	\$ 3.30
1 inch	4.59
1 ½ inch	8.17
2 inch	12.08
3 inch	26.98
4 inch	41.74
6 inch	80.10

(Ord. 992 § 1, 2011; Ord. 935 § 1, 2009; Ord. 866 § 1, July 2008.)

B. Water sold from fire hydrants shall be charged a base charge of \$125.16 and a usage rate of \$1.31 per one thousand gallons. (Ord. 992 § 1, 2011; Ord. 935 § 1, 2009; Ord. 866 § 1, July 2008.)

C. Effective January 1, 2011, water rates for the 3 Creek Ranch Subdivision in Teton County, Wyoming shall be as follows:

Base Charge, per connection, per year (Res. 10-24, 2010; Res. 09-29, 2009)	\$1,044.00
Volume Charge, per thousand gallons (Res. 10-24, 2010)	\$ 0.99
Replacement Charge, per connection, per year (Res. 10-24, 2010)	\$243.00

The rates set forth in this subsection shall be effective until December 31, 2009. Effective January 1, 2010, and each year thereafter, the base charge, volume charge and replacement charge will be recalculated, using the budget in effect at the time of recalculation and other appropriate reference material, by the Town of Jackson Finance Department for adoption by council resolution. The formulas for recalculation will be those presented by Red Oak Consulting on March 28, 2005.

(Ord. 992 § 1, 2011; Ord. 935 § 1, 2009; Ord. 866 § 1, July 2008; Ord. 833 §1, 2006; Ord. 804 §1, 2005; Ord. 743 § 2, 2003; Ord. 664 § 18, 2000; Ord. 588§ 1, 1996; Ord. 551§ 1, 1996; Ord. 539 § 1, 1996; Ord. 479 § 1, 1994; Ord. 381 § 1, 1988; Ord. 370 § 1, 1987; Ord. 270 § 2, 1980; Ord. 97A § 2, 1972; Ord. 97 § 30, 1966.)

**13.04.310 Penalty for violations.**

Any person or persons violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof, except in cases where a specific penalty is provided, shall be punished in accordance with Section 1.12.010 of this Code.

(Ord. 743 § 2, 2003; Ord. 289 § 19, 1982; Ord. 270 § 4, 1980; Ord. 97 § 32, 1966.)

## **Chapter 13.06 WATER RATE ADJUSTMENTS**

### **Sections:**

**13.06.010 Commercial enterprises - public restrooms.**

**13.06.020 Senior and disabled citizens.**

**13.06.030 Repealed.**

**13.06.040 Fire department.**

**13.06.050 Town employees.**

**13.06.060 Social service organizations.**

**13.06.070 Bill reduction for repair of water leaks.**

**13.06.080 Water allowance for inclement weather.**

**13.06.090 Medical reasons.**

**13.06.010 Commercial enterprises - public restrooms.**

Repealed. (Ord. 592 § 1, 1998; Ord. 552 § 1, 1996.)

**13.06.020 Senior and disabled citizens.**

The usage rate for senior citizens aged sixty-five (65) or over who certify to the office of the Town Administrator that they are the primary resident of the residence, that they are a full-time resident of Jackson and that their net annual income does not exceed one hundred fifty percent (150%) of the Teton County poverty level and disabled citizens who certify that they are permanently disabled, that they are the primary resident of the residence and that they are full-time residents of Jackson and their gross annual income is not greater than one hundred fifty percent (150%) of the Teton County poverty level shall have the base charge and usage rate reduced by fifty percent (50%).

(Ord. 744 § 2, 2003; Ord. 678 § 2, 2000; Ord. 553 § 1, 1996, Res. 88-19 § 3, 1988; Res. 87-22 § 2, 1987.)

**13.06.030 Nonresidents.**

Repealed. (Ord. 678 § 1, 2000, 1996; Res. 87-22 § 3, 1987.)

**13.06.040 Fire department.**

Repealed. (Ord. 835 § 1, 2006; Ord. 744 § 2, 2003; Res. 88-19 § 1, 1988.)

**13.06.050 Town employees.**

Water shall be provided for the primary residence without a base charge and at a usage charge as established in Section 13.04.300 of this Code per one thousand gallons for gallons in excess of five-thousand (5,000) per month for all full-time employees of the Town, all elected officials of the Town and all members of the Town Planning Commission.

(Ord. 744 § 2, 2003; Ord. 554 § 1, 1996, Res. 88-19 § 2, 1988.)

**13.06.060 Social service organizations.**

Water shall be provided at a base fee and volume rate reduced by twenty-five percent (25%) for the following social services organizations:

- A. Community Entry Services;
- B. Teton Community Health Center;
- C. Community Children's Project;
- D. VanVleck House;
- E. The Learning Center;
- F. Pioneer Senior Citizens Center;
- G. Teton County Task Force;
- H. Good Samaritan Mission.

(Ord. 744 § 2, 2003; Res. 88-19 § 5, 1988.)

**13.06.070 Bill reduction for repair of water leaks.**

In the event that water consumption has significantly increased in a given quarter due to undetected water leak, a fifty percent (50%) reduction in the usage charge for water may be given by the Town Administrator provided that the customer provides written documentation that the leak has been repaired. In extreme circumstances, the Town Administrator may grant this reduction for the same location for not more than three (3) consecutive months. In the event that water consumption has significantly increased due to other catastrophic events, the Town Administrator may authorize a recalculation of water usage. The amount of the bill will be calculated by utilizing an average of the previous three (3) years water usage for the same month to determine normal billing. If three (3) years of information is not available, three (3) years of available and comparable data will be used. The reduction may be granted for amounts of usage over the determined normal billing. In extreme circumstances, the Town Administrator may grant this reduction for the same location for not more than three (3) consecutive months.

(Ord. 744 § 2, 2003; Ord. 694 § 1, 2001; Ord. 678 § 3, 2000; Ord. 555 § 1, 1996, Res. 88-19 § 6, 1988.)

**13.06.080 Water allowance for inclement weather.**

To prevent the freezing of water mains the Town Administrator may grant an allowance of an additional five-thousand (5,000) gallons per month. Additional allowances may be granted for specific instances by the Town Council.

(Ord. 744 § 2, 2003; Ord. 556 § I, 1996; Res. 88-19 § 7, 1988.)

**13.06.090 Adjustment of water rates for medical reasons.**

Upon receipt of written verification from a licensed medical doctor indicating that a patient under his or her care is in need of life sustaining treatment, or treatment that will improve the quality of life of a chronically or terminally ill person, and involves the use of unusually large amounts of water at the patient's residence, upon written approval of the Town Administrator, the user may receive a waiver of fees for all water use attributable to such treatment. The waived portion of the fees shall be calculated as the difference between the historical metered consumption at the residence by the user, and the metered consumption measured after the medical treatment is begun. In the event the patient is a new water user, or there is no historical metered consumption at the residence, a representative average of use by residences in the

immediate vicinity shall be used as the base rate to be subtracted from the metered consumption measured after the medical treatment is begun. (Ord. 744 § 2, 2003; Ord. 616 § I, 1999)

## Chapter 13.08 SEWERAGE DISPOSAL SYSTEM

### Sections:

- 13.08.001 Wastewater collection and treatment--Management and control.**
- 13.08.002 Sewer service--Franchise not granted when.**
- 13.08.003 Control of sewer system.**
- 13.08.010 Purpose.**
- 13.08.011 Determining the total annual cost of operation and maintenance.**
- 13.08.012 Determining each user's wastewater contribution percentage.**
- 13.08.013 Wastewater rates.**
- 13.08.014 Appeal of Class Designations.**
- 13.08.015 Pretreatment.**
- 13.08.016 Wastes prohibited from being discharged to the wastewater treatment system.**
- 13.08.017 Prohibition of groundwater heat pump discharge and clear water connections.**
- 13.08.018 Proper design and construction of new sewers and connections.**
- 13.08.019 Damage to facilities.**
- 13.08.020 Wastewater Capacity Fees.**
- 13.08.030 Connection required.**
- 13.08.040 Bills --Delivery--Delinquency.**
- 13.08.141 Liens for unpaid bills.**
- 13.08.050 Bills --Delinquency--Shut-off of water.**
- 13.08.060 Rules and regulations.**
- 13.08.070 Permit for septic tank pumping.**
- 13.08.080 Connection permit--Inspection.**

### **13.08.001 Wastewater collection and treatment--Management and control.**

The Town shall have exclusive control and management of the municipal sewer collection and treatment system belonging to the Town, and shall have exclusive management and control of sewer service provided to all users within and without the corporate limits and shall from time to time make such rules and regulations as are necessary for the complete management and control of the wastewater collection and treatment system. (Ord. 745 § 2, 2003)

### **13.08.002 Sewer service--Franchise not granted when.**

No person, firm, or corporation shall be granted any franchise or permit to furnish or provide any inhabitant within the Town any wastewater collection or treatment services within any portion of the Town where the sewer mains have been extended or may hereafter be extended so as to supply the property with sewer service. (Ord. 745 § 2, 2003)

### **13.08.003 Control of sewer system.**

The wastewater collection and treatment system of the Town shall be under the exclusive control of the Mayor and Town Council who may from time to time direct any construction of such works, placing of mains, and service pipes, as the necessity of the Town may require. The base

charge, flow rates, biochemical oxygen demand charges, and total suspended solids charges may be changed from time to time by ordinance of the Town Council. (Ord. 745 § 2, 2003)

**13.08.010 Purpose.**

The purpose of the following sections shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater system. The cost shall be distributed to all users of the wastewater system in proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and SS), volume, and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance costs to each user (or user class). (Ord. 745 § 2, 2003; Ord. 259 § 2 (part), 1979.)

**13.08.011 Determining the total annual cost of operation and maintenance.**

The Town shall determine the total annual costs of operation and maintenance of the wastewater system, which are necessary to maintain the capacity and performance, during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reserve fund. (Ord. 745 § 2, 2003; Ord. 259 § 2 (part), 1979.)

**13.08.012 Determining each user's wastewater contribution percentage.**

- A. The Town shall determine each user's volume of wastewater, which has been discharged to the wastewater system, by the water metering system. Each user shall be charged a base charge and a volume rate, in accordance with Section 13.08.013, per thousand gallons by the reading on their water meter.
- B. For single-family residential users, the Town will calculate an average monthly winter water usage, by using the water meter readings for the months of January, February, and March, to be used for billing wastewater volume charges for the entire year. The lower of this average water use or the actual water use will be applied to the volume rate schedule in Section 13.08.013 beginning every May 1 and ending every April 30, when a new average monthly winter water usage will be calculated. Multi-family residential users will not be eligible for the average monthly winter water usage method. Multi-family residential is defined as four or more residential units being served by one water meter. Single-family residence shall be defined as a residential dwelling unit where the dwelling unit is individually owned and the occupants are permanent in nature. (Ord.894 § 1, 2008; Ord. 745 § 2, 2003).
- C. When calculating the average monthly winter water use, the least amount of monthly water usage allowed in the calculation is 3,000 gallons per month. Appeals of the average monthly winter water use calculation require a written request to the Town Administrator. The Town Administrator may adjust the average monthly winter water use calculation due to unusual circumstances.
- D. Any commercial user who can show increased usage for the purpose of lawn/landscape watering will have their volume usage charge reduced based upon the square footage of area covered by watering. The Parks and Recreation department usage on a square footage basis on its parks shall be used as the amount of water used per square foot. In no case will the

commercial user have their volume usage reduced below their average monthly winter water usage as calculated by using the water meter readings for the most recent months of January, February, and March. (Ord. 745 § 2, 2003.)

**13.08.013 Wastewater rates.**

A. Charges for wastewater system service shall include four components: a base charge and volume rates for flow, biochemical oxygen demand (BOD), and total suspended solids (TSS).

Base Charges:

Monthly fixed charge based on meter size

¾ inch	\$ 3.03
1 inch	4.40
1 ½ inch	7.99
2 inch	12.15
3 inch	24.50
4 inch	39.10
6 inch	76.32

Volume Rates:

Flow, BOD, and TSS charges by customer class (dollars per 1,000 gallons)

Customer Class	mg/l	Flow	BOD	TSS	Total
1	0 – 250	\$ 0.91	\$ 0.20	\$ 0.13	\$ 1.24
2	251 – 550	0.91	0.31	0.19	1.41
3	551 – 850	0.91	0.56	0.34	1.81
4	851 – 1,150	0.91	0.80	0.48	2.18
5	1,151 – 1,450	0.91	1.03	0.63	2.57
6	1,451 – 1,750	0.91	1.27	0.75	2.94
7 (1)	> 1,750				

(1) Rates to be determined based on actual loading and strength data from sampling.

(Ord. 991§ 1, 2011; Ord. 936 § 1, 2009; Rev. Ord. 867 § 1, July 2008.)

B. The classification or classifications applicable to each customer of the wastewater system for purposes of calculating volume rates is based on the applicable range of the strength of such customer’s waste discharge, as measured by BOD and TSS as indicated in section 13.08.013

C. More than one class may apply to a customer at the same time. For example, a customer with a BOD value of 350 and a TSS value of 900 would pay a rate based on a classification of 2 for BOD (\$0.31) and a classification of 4 for TSS (\$0.48). These amounts, combined with the flow rate (\$0.91) would equal a rate of \$1.70 per 1,000 gallons. (Ord. 991 § 1, 2011; Ord. 936 § 1, 2009; Rev. Ord. 867 § 1, July 2008.)

D. The Wastewater Superintendent shall assign class designations to customers based upon the nature of the facility owned or operated by the customer, and estimates based on sample measurements taken from similar facilities or published industry standards. Any customer may, at the customer's expense, demonstrate that actual BOD or TSS discharges differ from the Wastewater Superintendent's estimates, and the Wastewater Superintendent shall assign such customer to a different class or classes, accordingly. Such actual measurements shall be conducted in accordance with procedures established by Section 13.08.014. Initial class designations are as follows:

E.

<u>Customer Type</u>	<u>Customer Class</u>	
	<u>BOD</u>	<u>TSS</u>
Residential	1	1
Non-Residential w/o Surcharge	1	1
Non-Residential w/ Surcharge		
Dry Cleaning (1)		
Meat Processing	4	3
Restaurants	3	3
Bakeries	3	3
Commercial Laundry	3	2
Fast Food Service	2	2
Fruit/Vegetable Canning	2	2
Hotel/Motel w/ Food Service	2	3
Market w/ Deli	2	2
Commercial Printing	2	1
Kennels	2	2
Auto Service/Repair	2	1
School Café	2	1
Hotel/Motel W/o Food Service	2	1
Mortuary	2	2
Photo Processing	2	1
Car Washes	1	2
Hospital w/o Food Service	1	2
Hospital w/ Food Service	2	3

*(1) Any customer in this category will be subject to separate sampling to determine specific loadings and corresponding rates.*

F. Unusual wastes not covered by these rate schedules will be considered separately and may be assigned a special rate.

G. Effective January 1, 2011, wastewater rates for the 3 Creek Ranch Subdivision in Teton County, Wyoming shall be as follows:

Base Charge, per connection, per year (Res. 10-24, 2010; Res. 09-29, 2009)	\$471.00
Volume Charge, per thousand gallons	\$ 2.48

(Res. 10-24, 2010)

Replacement Charge, per connection, per year       \$237.00

(Res. 10-24, 2010)

The rates set forth in this subsection shall be effective until December 31, 2009. Effective January 1, 2010, and each year thereafter, the base charge, volume charge and replacement charge will be recalculated, using the budget in effect at the time of recalculation and other appropriate reference material, by the Town of Jackson Finance Department for adoption by council resolution. The formulas for recalculation will be those presented by Red Oak Consulting on March 28, 2005.

(Ord. 991 § 1, 2011; Ord. 936 § 1, 2009; Ord. 834 § 1, 2006; Ord.805 § 1, 2005; Ord. 745 § 2, 2003; Ord. 677 § 2, 2000; Ord. 558 § 6, 1996, Ord. 259 § 2 (part), 1979.)

**13.08.014     Appeal of Class Designations.**

- A. If a customer believes that they are incorrectly categorized within customer class, they may challenge the classification by applying for a re-classification. All costs associated with the re-classification shall be borne by the applicant. Application for a re-classification must be made in writing to the Town and include the following basic information:
  - a) Name and type of business or wastewater producer;
  - b) Normal business cycle; i.e. production period, cleaning period, off times, etc.;
  - c) Past and current wastewater pretreatment and management practices;
  - d) Location at which sample will be taken;
  - e) Method of determining flow;
  - f) Method of sampling and compositing sample;
  - g) Name of independent sampling and testing company.
  
- B. Upon approval of the re-classification process by the Wastewater Superintendent, testing will be accomplished by installing an automatic sampling device to sample only that waste discharged by the applicant. The applicant will be sampled and tested for a full week (7 days) with the sampler being serviced daily. If an adequate sampling point is not available, the applicant the must install a suitable sampling point so that testing may be performed. All sampling and testing must be by an approved firm and/or laboratory during a seven-day period approved by the Town.
  
- C. Specifically, the Town and the applicant will adhere to the following re-classification process:
  - 1) The applicant submits a re-classification application containing the required information to the Town.
  - 2) The applicant provides a discreet discharge point that can be traced to the premises. The discreet discharge point must be into a manhole or similar structure of sufficient size to accommodate an automatic sampling device.
  - 3) The Town authorizes the re-classification and provides a list of firms and/or laboratories that have demonstrated the capabilities of performing sampling and analysis in accordance with Town procedures.

- 4) The Town provides sampling requirements for the surcharge user. Unless otherwise specified, the sampling procedure shall consist of 24-hour time constant, volume constant, composite samples collected by an automatic sampling device.
- 5) The Town provides a list of three seven-day periods from which the surcharge user may choose one during which to run the sampling and testing. Re-classifications will only be allowed during peak seasons and must run for the seven consecutive days specified. Tests for BOD and TSS shall be run for each of the seven days.
- 6) The applicant contacts the Town to initiate installation inspection of re-classification equipment and the laboratory contacts the town to request authorization for re-classification.
- 7) Laboratory verifies compliance with sampling, metering, and analytical requirements.
- 8) The Town randomly inspects re-classification set-ups.
- 9) The applicant submits complete data to the Town within thirty days for calculation of surcharge values (regardless of whether or not the new surcharge values will result in a reduction).
- 10) The Town verifies final results of re-classification, notifies the applicant of effective dates for new surcharge values, and activates new billing values.

There will be no retroactive adjustments based on a re-classification. All billing changes will be made on a prospective basis only. (Ord. 745 § 2, 2003)

#### **13.08.015 Pretreatment.**

Waste discharge limitations may be imposed by the Town to protect transmission and treatment structures or processes and to insure compliance with Federal and State effluent limitation guidelines. Pretreatment before discharge or elimination of discharge may be required to meet limitations of toxic or other guidelines or to remove any type of waste or alter any manner of discharge determined by the Town to be detrimental to either transmission and treatment structures or processes.

(Ord. 745 § 2, 2003; Ord. 677 § 4, 2000; Ord. 575 § 1, 1997; Ord. 451 § 1, 1992; Ord. 259 § 2 (part), 1979.)

#### **13.08.016 Wastes prohibited from being discharged to the wastewater treatment system.**

The discharge of any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly, or by interaction with other wastes, to contaminate the sludge of any municipal system, or to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works is hereby prohibited.

(Ord. 745 § 2, 2003; Ord. 259 § 2 (part), 1979.)

#### **13.08.017 Prohibition of groundwater heat pump discharge and clear water connections.**

No person shall make connection of groundwater heat pump or groundwater heating or cooling systems, roof downspouts, exterior foundation drains, areaway drains, or other sources of surface

runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer.

(Ord. 745 § 2, 2003; Ord. 308 § 1, 1983; Ord. 259 § 2 (part), 1979.)

**13.08.018 Proper design and construction of new sewers and connections.**

The size, slope, alignment, materials of construction of all sanitary sewers and sewer connections, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town and the State. In the absence of code provision or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WEF Manual of Practice FD-5 shall apply.

(Ord. 745 § 2, 2003; Ord. 677 § 5, 2000; Ord. 259 § 2 (part), 1979.)

**13.08.019 Damage to facilities.**

In the event that either transmission or treatment structures or processes are damaged, or the flow through said structures or processes hampered by a customer’s wastewater discharge, the Town may make or require to be made, at the customer’s expense, such repairs as are necessary to restore transmission or treatment structures or processes to normal system operation. (Ord. 745 § 2, 2003; Ord. 677 § 6, 2000; Ord 567 § 1, 1996; Ord 541 § 1, 1996; Ord. 259 § 3, 1979.)

**13.08.020 Wastewater Capacity Fees.**

Any customer desiring to obtain service from the town’s wastewater treatment facilities shall make application in writing to the town planning department and file an acknowledgment that the customer shall be governed by the laws and regulations as may be provided by the mayor and town council pertaining to wastewater facilities. If the application is granted, the Public Works Department shall be authorized to extend the sewer mains to include the property. All expenses related to any extension from the sewer main to a private lot or within a private lot shall be borne by the property owner(s) or their designated representative. All connections to the sewer mains shall be done by or under the supervision of the Public Works Department. The applicant shall pay a wastewater capacity fee based upon the applicable assessment unit as shown below:

Description	Assessment Unit	Capacity Fee
Residential Unit, House, Condominium with Laundry, Townhouse, Apartment (2-Bedroom or more)	Per Unit	\$ 2,172
Apartment, Studio or 1-Bedroom (with Laundry in Apt)	Per Unit	1,088
Apartment, Studio or 1-Bedroom (w/out Laundry in Apt.)	Per Unit	869
Bars and Taverns (No Food Service [60 gpd/seat])	Per 15 Sq. Ft.	297
Restaurant (80 gpd/seat)	Per 15 Sq. Ft.	399
Motels and Hotels (200gpd/room)	Per Room	985
Bed and Breakfast (226 gpd/room)	Per Room	1,116
Churches (No Food Preparation/Dishwashing)	Per Seat	24
Churches (with Food Preparation/Dishwashing)	Per Seat	36
RV Parks (with individual sewer hookups [100 gpd/site])	Per Site	493
Camp Parks, Campgrounds (Service Building only [75 gpd/site])	Per Site	369
Mobile Home Park	Per Site	2,174
Laundry (Self-Service [300gpd/machine])	Per Machine	1,486
Laundry (Commercial [\$375/100# per day capacity])	Min./Machine	5,435

Dental Offices (128 gpd)	Per Dental Chair	614
Offices (30 gpd/employee [1 Occupant/100 sq. ft.])	Per Employee	147
Retail Stores (@0.05 gpd/sq. ft. [sq. ft./100 x 21 = Fee])	Per 100 Sq. Ft.	24
Service Stations (220 gpd/two-nozzle gasoline pump)	Per Pump	1,088
Car washes (1,000 gpd)	Per Bay	4,927
Day Care (10 gpd/student)	Per Student	49
Public Spas	Per 1,000 Gal. Capacity	652
Schools (with Gym)	Per Student	98

*For businesses that are not listed in the table above, the wastewater capacity fee amount will be assigned by the public works department*

(Ord. 991 §1,2011; Ord. 936, §1,2009; Ord. 867 § 1, July 2008; Ord. 745 §2 ,2003; Ord. 677 §7, 2000; Ord. 576 § 1, 1997, Ord. 122 § 2, 1969.)

**13.08.030 Connection required.**

As nearly as practicable every occupied property in the Town, which is capable of being served by the sewerage system, shall be connected with the system. A written or printed notice to connect with the system shall be given to all owners or occupants of properties which are not connected with the system but which are capable of being connected therewith, and unless the time for connection is extended by the Town Council, all connections shall be made within ninety days after the mailing date of the notice. Connections shall be charged to the property owner in conformance with the following schedule:

Service Line Provision Fees						
Saddle Size	4 x 6-12	4 x 14-24	4 x 24-48	6 x 8-12	6 x 14-24	6 x 24-48
Saddle Fee	\$104.00	\$131.00	\$245.00	\$138.00	\$165.00	\$275.00
Labor	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00
Total	\$221.00	\$248.00	\$362.00	\$255.00	\$282.00	\$392.00

(Ord. 991 §1,2011; Ord. 936, §1 ,2009; Ord. 867 § 1, July 2008; Ord. 758 § 2, 2004; Ord. 745 § 2, 2003; Ord. 683 § 1, 2001, Ord. 122 § 3, 1969.)

**13.08.040 Bills --Delivery--Delinquency.**

It shall be the duty of the Finance Department of the Town to mail or deliver bills for sewer service charges to the owner or occupant of each property connected with the system. Such bills shall be rendered with and as a part of the monthly water service bills of the Town. All bills for sewer service are payable monthly in arrears and are due on the last day of each month. All sewer bills shall be delinquent at the close of the office on the last day of the month on which they fall due, unless such day is a legal holiday, in which event they shall be delinquent at the close of the office on the next succeeding regular business day. For all bills that become delinquent, the amount thereof, and interest at a rate of 18% per annum on the unpaid balance, may be recovered by the Town.

(Ord. 767 § 2, 2004; Ord. 745 § 2, 2003; Ord. 720 § 1, 2003; Ord. 677 § 7, 2000; Ord. 231 § 1, 1977; Ord. 122 § 4, 1969.)

**13.08.041 Liens for unpaid bills.**

In the event that the charges for the sewer service furnished upon any premises for any purpose are not paid when due and payable in accordance with the terms and provisions of this chapter,

the Town Clerk may make and file a lien in behalf of the Town for the amount due and within the time and in the manner provided for filing liens of mechanics and materialmen under the provisions of the law of the State of Wyoming, and such lien shall bind the premises in the same manner and to the same extent as such materialmen's and mechanic's liens are binding under the State law and shall be foreclosed in the same manner. Upon foreclosure thereof costs shall in like manner be allowed or the Town may sue to recover the amount due from the person liable without filing a lien. In like manner a lien may be filed and foreclosed or suit brought to enforce the payment for any labor or material furnished or supplied by the Town.

**13.08.050 Bills --Delinquency--Shut-off of water.**

Water may be shut off when a sewer service fee for any premises has been deemed delinquent and unpaid for forty-five (45) days. The Town Finance Department shall have power to turn off the water from the premises until such past due charges, together with such other costs as may be accrued in accordance with Section 13.08.040, shall have been fully paid and discharged. (Ord. 745 § 2, 2003; Ord. 677 § 8, 2000; Ord. 122 § 5, 1969.)

**13.08.060 Rules and regulations.**

The Town Council shall have the power and authority to make rules and regulations consistent with the provisions of this chapter and to take and direct all steps and proceedings fully to carry out the intent and purpose herein expressed. (Ord. 745 § 2, 2003; Ord. 122 § 6, 1969.)

**13.08.070 Permit for septic tank pumping.**

- A. It shall be unlawful for any person, firm, corporation or other organization, including but not limited to septic tank pumping services firms or organizations, to place, pump, drain or cause to be placed, pumped or drained any substance, material or thing, including but not limited to sludge and other matter pumped from septic tanks or other sewage disposal systems, into the sewer lines, drains, manholes, vaults or sewage disposal plant of the Town, other than through regular connections for which a monthly fee is paid, without first having obtained a permit to do so pursuant to rules and regulations established by the Town Council.
- B. Any person, firm, corporation or other organization found guilty of violating Subsection A of this section shall be punished in accordance with Section 1.12.010 of this code. (Ord. 289 § 20, 1982; Ord. 232 § 1, 1977.)
- C. The fee for septic tank dumping shall be seventy-five dollars (\$75.00) per one thousand gallons. The minimum fee for dumping recreational vehicle holding tanks shall be fifteen dollars (\$15.00).

(Ord. 745 § 2, 2003)

**13.08.080 Connection permit--Inspection.**

- A. It is unlawful for any person, firm, corporation or other organization to connect or direct the connection of any sewage system serving any property within or outside of the Town to the sewage system of the Town or change or increase the use for any property or building previously connected to the sewage system of the Town without first obtaining a

permit. All permits shall be issued at the office of the Town Engineer by the Town Engineer or other official designated by him upon payment of the fee for such permit or changed or increased use as established from time to time by resolution of the Town Council.

- B. All connections to the sewage system of the Town shall be inspected by the Town Engineer or the Director of Public Works or other person authorized by them in writing to make such inspections, prior to the connection being covered and or put in use. Following inspection all connections and service lines shall be covered with material suitable to prevent cracking or breaking of connections or lines.
- C. In addition to the sewer connection permit fee each applicant for a permit shall pay to the Town Clerk an inspection deposit which deposit will be returned to the applicant upon proof of inspection of the sewage system connection by an appropriately designated individual. In the event of failure to obtain the required inspection prior to the covering of the connection, such deposit will be used to defray the cost of exposing the connection for inspection purposes.
- D. Any person, firm, corporation or other organization found guilty of violating any provisions of this section shall be punished in accordance with Section 1.12.010 of this code.

(Ord. 745 § 2, 2003; Ord. 306 § 1, 1983; Ord. 289 § 21, 1982; Ord. 248 § 1, 1978.)

## Chapter 13.12 WATER METERS

**Sections:**

**13.12.010 Water meters required--Separate meter required for each establishment.**

**13.12.020 Procurement of Water Meters**

**13.12.030 Meters to be property of town.**

**13.12.040 Location and installation generally.**

**13.12.050 Maintenance and repairs generally.**

**13.12.060 Property owner to repair, relocate, etc., pipes and fixtures where necessary for meter operation.**

**13.12.070 Inspections.**

**13.12.080 Monthly reading and record of water consumption--Failure of town to read not to affect payment obligations of owner or occupant.**

**13.12.090 Right of entry for purposes of installation, reading, inspecting, testing, etc.--Failure to allow entry.**

**13.12.100 Defacing, tampering with, injuring, etc.--Estimated charges for months when meter fails to register correctly.**

**13.12.010 Water meters required--Separate meter required for each establishment.**

A. All water delivered to any water user from and after January 1, 1989 by means of the Town water system shall be measured by a water meter.

B. It shall be unlawful for any person to construct a building within the Town after June 1, 1988 without placing thereon, or on the premises upon which such construction may be made, a water meter for the measurement of water taken from the Town's water system, installed in accordance with the Town's requirements pertaining to the installation of such meters.

C. All water meters installed or used in connection with the Town water system shall be repaired, replaced, removed, read and recorded by and at the expense of the Town.

(Ord. 746 § 2, 2003; Ord. 374 § 2 (part), 1988.)

**13.12.020 Procurement of Water Meters.**

All water meters installed or used in connection with the Town water and sewer systems shall be procured from the Town. Charges for water meters shall be according to the following schedule.

**Water Meter Provision Fees**

Meter Size	3/4"	1"	1 1/2"	2"	2" Compnd	3"	3" Compnd	4"	4" Compnd	6"	6" Compnd
Meter	\$162.75	\$250.50	\$ 435.50	\$ 605.00	\$1,644.50	\$1,035.75	\$2,160.00	\$1,393.00	\$2,925.75	\$2,607.25	\$4,948.00
Yolk	\$64.75	\$101.00	Not Used	Not Used	Not Used	Not Used	Not Used	Not Used	Not Used	Not Used	Not Used
Check Valve	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
MIU											
Reading	\$148.50	\$148.50	\$148.50	\$148.50	\$148.50	\$148.50	\$148.50	\$148.50	\$148.50	\$148.50	\$148.50
Flanges	Not Used	Not Used	\$ 63.25	\$ 81.00	\$81.00	\$153.75	\$153.75	\$232.00	\$232.00	\$536.75	\$536.75
Total Fee	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD

TBD = To be determined by Town Engineer based on building use in accordance with Chapter 12, Section 14 of the Wyoming Department of Environmental Quality Water Quality Regulations

(Ord. 993 § 1, 2011; Ord. 937 § 1, 2009; Ord. 868 § 1, July 2008; Ord. 754 § 2, 2004; Ord. 746 § 2, 2003; Ord. 685 § 1, 2001; Ord. 374 § 2(part), 1988.)

**13.12.030 Meters to be property of town.**

Water meters installed or used in connection with the Town water system shall be and remain the property of the Town. (Ord. 746 § 2, 2003; Ord. 374 § 2 (part), 1988.)

**13.12.040 Location and installation generally.**

- A. Except as otherwise provided herein, all water meters installed upon any premises within the corporate limits, to measure and record the amount of water furnished by the Town, and used upon such premises shall be located and installed inside the boundary line of the premises and in the basement, utility room or other frost-proof room or building on the premises. A representative from the Town shall determine the location and method of installing such meters, and the Town shall not be responsible or liable for damages resulting from the location and installation of meters. The property owner will agree to protect and hold the Town harmless from claims for such damages if the installation is done in a proper manner and according to all applicable provisions of this code and other town ordinances.
- B. Where the representative from the Town determines that it is not practical to make an indoor installation as outlined above, he may allow an outdoor installation to be made, provided it is made in accordance with specifications on file with the Public Works Department.

(Ord. 746 § 2, 2003; Ord. 665 § 1, 2000; Ord. 374 § 2 (part), 1988.)

**13.12.050 Maintenance and repairs generally.**

Normal maintenance of meters and remote readers shall be performed by the Town's employees. The consumer shall be required to protect any meter through which he receives water. The cost of repairs to any meter or remote reader, occasioned by lack of ordinary care, shall be borne by the property owner or consumer.

(Ord. 746 § 2, 2003; Ord. 374 § 2 (part), 1988.)

**13.12.060 Property owner to repair, relocate, etc., pipes and fixtures where necessary for meter operation.**

The property owner of the premises upon which a water meter and remote reader are located, at his own expense and in a manner satisfactory to the Town, will be required to repair, replace, reconstruct or relocate the water pipes and plumbing fixtures so that all water furnished to and used within the boundaries of the property passes through and is measured and recorded by the meter and remote reader; provided, however, that for those persons who are subject to rate reductions pursuant to the water rate resolution of the Town for senior citizen status, the cost of such plumbing changes shall be borne by the town.

(Ord. 746 § 2, 2003; Ord. 374 § 2 (part), 1988.)

**13.12.070 Inspections.**

When deemed advisable, water meters and remote readers shall be inspected free of charge. When meter and/or remote reader inspections are made on the demand of the owner for water shutoff or otherwise, the Town Administrator may assess a charge of up to fifty dollars (\$50.00) for each inspection of each meter and/or remote reader.

(Ord. 746 § 2, 2003; Ord. 665 § 2, 2000; Ord. 374 § 2 (part), 1988.)

**13.12.080 Monthly reading and record of water consumption--Failure of town to read not to affect payment obligations of owner or occupant.**

All water meters shall be read once a month and a proper record of the water consumption through such meter kept by the Town, in permanent form, but failure of the Town to read such meters shall not be deemed to be a waiver upon the part of the Town of any obligations of payment upon the part of the owner or occupant of such premises. If a meter is not read for any reason, the water billing for that period may be based upon an estimate by the Town and the billing shall be adjusted at the time of the next meter reading.

(Ord. 746 § 2, 2003; Ord. 374 § 2 (part), 1988.)

**13.12.090 Right of entry for purposes of installation, reading, inspecting, testing, etc.--Failure to allow entry.**

Employees or agents of the Town shall have the right to enter upon and return from property upon which a water meter and/or remote reader are located or required at any time during reasonable working hours, for the purpose of installing, reading, inspecting, testing, repairing, adjusting, relocating, removing or replacing such meter or reader. In the event such entry is refused or in the event such owner or occupant does not contact the Town and arrange to allow employees or agents of the Town to enter upon and return from such premises within ten days after written request to make such entry, the Town shall have the right to shut off the water to such property without further notice to the owner or occupant.

(Ord. 746 § 2, 2003; Ord. 374 § 2 (part), 1988.)

**13.12.100 Defacing, tampering with, injuring, etc.--Estimated charges for months when meter fails to register correctly.**

- A. It is unlawful for any person to deface, injure, loosen, take apart or otherwise tamper with any water meter or remote reader, to adjust or to attempt to adjust the same to reduce the reading thereof, to conduct water around such meter or to attempt in any other manner whatsoever to interfere with the correct reading by such meter or remote reader of the total amount of water furnished the premises where such meter and remote reader are installed.
- B. If, in the opinion of the Finance Department, any meter or remote reader has been tampered with, the quantity of water delivered during the month such meter or remote reader failed to register correctly by reason of such tampering, or for which no reading was obtained, shall be estimated by the Town and paid for as heretofore provided. Upon repetition of such offense, the Town may, at its option, stop the delivery of water to the premises of the person offending. (Ord. 746 § 2, 2003; Ord. 374 § 2 (part), 1988.)

## **Chapter 13.13 SEWER RATE ADJUSTMENTS**

### **Sections:**

- 13.13.010 Repealed**
- 13.13.020 Senior and disabled citizens**
- 13.13.030 Repealed**
- 13.13.040 Sewer rates for fire fighters**
- 13.13.050 Town Employees**
- 13.13.060 Social Service Organizations**
- 13.13.070 Bill Reduction For Repair of Water Leaks**
- 13.13.080 Sewer Rates in the Event of Inclement Weather**
- 13.13.090 Adjustment of sewer rates for medical reasons.**

### **13.13.010 Commercial enterprises--Public restrooms**

Repealed. (Ord. 559 § 1, 1996)

### **13.13.020 Senior and disabled citizens**

The usage rate for senior citizens aged sixty-five (65) or over who certify to the office of the Town Administrator that they are the primary resident of the residence, that they are a full-time resident of Jackson and that their net annual income does not exceed one hundred fifty percent (150%) of the Teton County poverty level and disabled citizens who certify that they are permanently disabled, that they are the primary resident of the residence and that they are full-time residents of Jackson and their gross annual income is not greater than one hundred fifty percent (150%) of the Teton County poverty level shall have the total sewer charge reduced by fifty percent. (Ord. 747 § 2, 2003; Ord. 679 § 1, 2000; Ord. 560, 1996)

### **13.13.030 Nonresidents.**

Repealed. (Ord. 561 § 1, 1996)

### **13.13.040 Sewer rates for fire fighters**

Repealed. (Ord. 836 § 1, 2006; Ord. 747 § 2, 2003; Ord. 562 § 1, 1996)

### **13.13.050 Town Employees**

Sewer shall be provided for the primary residence without a base charge and at a usage charge as established in Section 13.08.013 of this Code per one thousand gallons for gallons in excess of five-thousand (5,000) per month for all full-time employees of the Town, all elected officials of the Town and all members of the Town Planning Commission.  
(Ord. 747 § 2, 2003; Ord. 563 § 1, 1996)

### **13.13.060 Social Service Organizations**

Sewer shall be provided at a base fee and volume rate reduced by twenty-five percent (25%) for the following social service organizations:

- A. Community Entry Services

- B. Teton Community Health Center
  - C. Community Children's Project
  - D. Van Vleck House
  - E. The Learning Center
  - F. Pioneer Senior Citizens Center
  - G. Teton County Task Force
  - H. Good Samaritan Mission
- (Ord. 747 § 2, 2003; Ord. 564, § 1, 1996)

**13.13.070 Bill Reduction For Repair of Water Leaks**

In the event that water consumption has significantly increased in a given quarter due to undetected water leaks, a fifty percent (50%) reduction in the usage charge for sewer may be given by the Town Administrator provided that the customer provides written documentation that the leak has been repaired. In extreme circumstances, the Town Administrator may grant this reduction for the same location for not more than three (3) consecutive months. In the event that water consumption has significantly increased due to other catastrophic events, the Town Administrator may authorize a recalculation of water usage for determining sewer fees. The amount of the bill will be calculated by utilizing an average of the previous three (3) years water usage for the same month to determine normal billing. If three (3) years of information is not available, three (3) years of available and comparable data will be used. The reduction may be granted for amounts of usage over the determined normal billing. In extreme circumstances, the Town Administrator may grant this reduction for the same location for not more than three (3) consecutive months. (Ord. 747 § 2, 2003; Ord. 565 § 1, 1996.)

**13.13.080 Sewer Rates in the Event of Inclement Weather**

To prevent the freezing of water mains the Town Administrator may grant an allowance of an additional five-thousand (5,000) gallons per month for sewer service. Additional allowances may be granted for specific instances by the Town Council. (Ord. 747 § 2, 2003; Ord. 566 § 1, 1996.)

**13.13.090 Adjustment of sewer rates for medical reasons.**

Upon receipt of written verification from a licensed medical doctor indicating that a patient under his or her care is in need of life sustaining treatment, or treatment that will improve the quality of life of a chronically or terminally ill person, and involves the use of unusually large amounts of water at the patient's residence, upon written approval of the Town Administrator, the user may receive a waiver of fees for all sewer use attributable to such treatment. The waived portion of the fees shall be calculated as the difference between the historical metered consumption at the residence by the user, and the metered consumption measured after the medical treatment is begun. In the event the patient is a new water user, or there is no historical metered consumption at the residence, a representative average of use by residences in the immediate vicinity shall be used as the base rate to be subtracted from the metered consumption measured after the medical treatment is begun. (Ord. 747 § 2, 2003; Ord. 616 § I, 1999)