

ORDINANCE NO. 293

AN ORDINANCE REPEALING ORDINANCE NO. 200 AND ALL AMENDMENTS THERETO; AND ESTABLISHING AND MODIFYING THE DUTIES OF THE DIRECTOR OF PUBLIC WORKS AND SETTING OUT RULES, REQUIREMENTS AND FEES FOR OPERATION OF THE WATER AND SEWAGE SYSTEM OF THE TOWN OF CHUGWATER.

BE IT ORDAINED BY CHUGWATER, WYOMING:

THE TOWN COUNCIL OF THE TOWN OF CHUGWATER

SECTION 1. Chugwater Ordinance No. 200 is hereby repealed. This ordinance is intended to replace the repealed Ordinance No. 200.

SECTION 2. DEFINITIONS. For the purpose of this ordinance, the following words or phrases are defined as follows:

- A. "Town" shall mean the Town of Chugwater, Wyoming.
- B. Director of Public Works shall mean the Town's Director of Public Works as appointed, or his duly authorized representative.
- C. "Sewer Service Line" shall mean the line running from the Town's sewer main to the property to be served.

SECTION 3. OFFICE OF DIRECTOR OF PUBLIC WORKS.

The Director of Public Works shall be appointed by the mayor, with the consent of the Town Council, by majority vote. The person holding the position shall have such experience as shall be necessary for the faithful performance of the duties of the office, as hereinafter set forth. The Director of Public Works shall not be charged with the handling of any money on behalf of the Town and therefore shall not be required to execute a bond for the faithful performance of the duties of the office.

SECTION 4. DUTIES, INSPECTION AND APPROVAL OF PLANS.

- A. The Director of Public Works shall see that the construction, maintenance and control of the plumbing, drainage and ventilation on all buildings in the Town of Chugwater shall conform to and comply with the rules and regulations of this ordinance.

- B. All applications for permits, plans and accompanying documents, required to be filed by this ordinance, as hereinafter provided, shall be filed with the Town Clerk. The Director of Public Works shall review all applications and either approve, reject or set forth the terms upon which approval will be granted, pending the approval of such action by the Town Council.
- C. The Director of Public Works shall have charge and management of the sewage system of the Town, and all property belonging or appertaining thereto. He shall see that the system is properly cleaned and in good working order and repair. He shall perform all such duties in connection with such system as shall be required of him by the Town Council. He shall inspect the plumbing in all buildings in the course of their erection or construction, or those undergoing alteration or repair, as often as may be necessary, and shall see that all work for plumbing, drainage and ventilation complies with the terms and conditions of the ordinances of the Town of Chugwater.
- D. The Director of Public Works shall note on all plans and specifications submitted to him whether or not they have been approved, rejected, or waiting for Town Council approval and whether they are for old or new buildings, and shall make thereon such notations of the plumbing and/or need of plumbing and sewage connections in each such building as will enable his successors to determine prior actions.
- E. The plans shall be approved or rejected within ten (10) working days from the date of filing. The Director of Public Works shall not engage in or be in any manner interested in the business of plumbing.

SECTION 5. AUTHORITY OF DIRECTOR OF PUBLIC WORKS, INTERFERENCE WITH HIS DUTIES AND PENALTIES.

- A. The Director of Public Works shall have the right and power when a building is under construction or being remodeled, to enter and examine all work pertaining to plumbing at any reasonable time and have the work inspected by a licensed plumber.
- B. The Director shall have the power to stop any and all work not complying with the regulations of this and other ordinances of the Town until such time as a licensed plumber has the opportunity to inspect the work.
- C. Any person refusing to allow such right of entry or inspection, or who hinders the Director of Public Works in carrying out the power conferred by this section, shall be deemed guilty of a misdemeanor, and upon conviction

thereof before the municipal judge of the Town, shall be fined in a sum of not less than \$50.00, nor more than \$100.00 for each offense. Every day that the violation continues shall be considered a separate and distinct offense under this Section.

SECTION 6. PLUMBING OR SEWAGE CONDITIONS CONSTITUTING A NUISANCE, MAKING SAME A MISDEMEANOR AND PROVIDING PENALTIES.

- A. Whenever it shall come to the knowledge of the Director of Public Works, or complaints shall be made to the Director or to the town Clerk that the plumbing in any building constitutes a nuisance or is contrary to the requirements of this or other ordinances of the Town, or is faulty in construction, or is liable to injure the health of the occupants thereof or the occupants of the neighborhood, or upon the request of any owner of any building located within the Town, the Director of Public Works shall examine the plumbing in such building and seek an inspection from a licensed plumber if necessary.
- B. The director shall report to the owner of the offending building, his findings and shall set forth any and all changes required by him to make the same conform to the existing ordinances of the Town or to the plumbing inspection. Upon the failure or refusal of such owner to make such changes within the time prescribed by the Director of Public Works, which must be a reasonable time, the Director shall file a complaint before the municipal judge of the Town, and upon conviction thereof, such person or entity shall be fined in a sum of not less than \$50.00 nor more than \$100.00 for each offense. Each day that the owner entity fails to correct the plumbing after expiration of a reasonable time as set by the Director, shall constitute a separate and distinct offense.

SECTION 7. COMPENSATION OF THE DIRECTOR OF PUBLIC WORKS.

- A. The compensation to be paid to the Director of Public Works for his or her services shall be fixed in the annual budget of the Town council, who shall approve his compensation as part of his monthly wages.
- B. The Director of Public Works shall not have the authority to hire or fire employees, nor have the authority to set wages or compensation.

SECTION 8. EMPLOYEES OF THE DIRECTOR OF PUBLIC WORKS. By and with the consent of the Town Council, the Director of Public Works may employ such persons to assist him in the faithful performance of his duties.

SECTION 9. MAINTENANCE OF OUTDOOR PRIVIES PROHIBITED.

- A. The Town has determined that the maintenance of outdoor privies, which are not self-contained, within the Town constitutes a hazard to the health and welfare of the inhabitants of the Town and the same should be and are prohibited. Any person, firm, corporation, association or other entity, who shall permit the use or maintenance of any outdoor privy, which is not self-contained, upon premises owned or occupied by them, shall, upon conviction before the municipal judge of the Town, be deemed guilty of a misdemeanor, and shall be fined in the sum of not less than \$50.00, nor more than \$100.00, for each offense. Each day that the offense continues after citation, shall constitute a separate and distinct offense under this Section.
- B. Persons seeking to use self-contained outdoor privies on a temporary basis for construction projects or special events may obtain approval from the Director of Public Works to place privies on the site. Upon granting said approval, the Director of Public Works will specify where the self-contained privies may be set, and the length of time which they may be used.

SECTION 10. CONNECTION TO SEWAGE DISPOSAL SYSTEM OF THE TOWN.

- A. Every person, firm, association, corporation or other entity owning property within the Town of Chugwater, upon which is built any structure which has indoor plumbing facilities, shall be required to connect said structure to the Town's sewage disposal system.
- B. No septic tank or cesspool shall be operated or maintained within the incorporated limits within the Town of Chugwater, Wyoming, without a special permit from the Town Council. Such special permits shall not be granted unless it is not feasible to connect the drainage in question with the Town's sewage system.
- C. Any person, firm, corporation, association or other entity violating the provisions of this section, upon conviction before the municipal judge, shall be deemed guilty of a misdemeanor and shall be fined an amount not exceeding \$100.00 for each offense. Each day upon which the offense continues after citation shall constitute a separate and distinct offense under this Section.

SECTION 11. CONTINUED OPERATION OF THE SEWAGE SYSTEM.
For protection of the welfare, health and safety of the inhabitants of the Town, and for the purpose of providing funds for the replacement, maintenance and repair of the sewage system, and to provide for the costs of maintenance and operation

of the sewage system, it is hereby declared to be the public policy of the Town that the use of the sewage system should be regulated and that uniform rates and charges be established.

SECTION 12. ADMINISTRATIVE OFFICERS. The Director of Public Works, the Town Clerk, and other authorized employees of the Town, shall be and are hereby delegated as administrative officers for the purpose of carrying this ordinance into effect.

SECTION 13. TAP FEE AND WAIVER THEREOF.

- A. Unless waived, as set forth below, there shall be assessed and collected prior to the issuance of a permit to tap a sewer line of the Town, or a tap into an individually owned sewer line which is serviced by a Town sewer line, the sum of \$300.00.
- B. Any person, firm, corporation, association or any other entity desiring to connect to an existing sewer service line, owned by the applicant or by another sewage system user of the Town, shall file an application for a permit to tap into the said individually owned service line without payment of the tap fee. The application shall conform to the requirements of Section 4 above, and shall be accompanied by the written consent of the owner of the sewage line to be tapped into and to be accompanied by a valid and binding written easement, providing access to the line.
- C. The Director of Public Works shall investigate the application, determine the ownership of the line to be tapped into, the adequacy of the consenting owner's system to convey water and all other pertinent factors. If the Director of Public Works determines that the interests of the town will not be adequately served by the proposed arrangement, he shall deny the permit, in which event, to obtain the sewer service of the Town, the applicant shall be required to file an application for a permit to tap directly into the sewer main of the Town, and paying the requisite tap fee therefore.
- D. If the Director of Public Works determines that the applicant and the consenting owner as well as the interests of the town will be adequately served by the arrangement, the Applicant shall have the option to seek a waiver of the fee with the Town Council. Each case shall be judged and determined on an individual basis.
- E. If the Director of Public Works determines that the applicant and/or the consenting owner or any person aggrieved by a decision of the Director of Public Works shall have the right to appeal that

decision to the Town Council.

- F. Any apartment complex, motel, hotel or multiple family dwellings, hereafter tapping into the Town's sewage system, shall pay the usual tap fee as specified above, and, in addition thereto, shall pay an additional tap fee of \$100.00 for each three additional dwelling units or rooms to be located in the proposed structure.
- G. All tap fees required to be paid herein shall be paid in cash at the time the permit therefore is issued.

SECTION 14. INSTALLATION OF SEWAGE SERVICE LINES AND CONNECTION THERETO.

- A. From and after the date of enactment of this ordinance, any person, firm, association, corporation or other entity requiring sewage service to their property, to which no sewer service line has been installed, shall be entitled to have the Town place up to sixty feet of the sewer service line running from the Town's main toward the private property line. In the event that the property line is further than sixty feet away from the Town's main sewer line, the party desiring sewer service shall be required to pay to the Town, the full cost of labor, materials and other expenses incurred in installing that portion of the sewer service line from the Town's main to the property line, in excess of sixty feet.
- B. In addition to the above requirement, the party shall also pay the tap fees required in Section 13 above. Any and all construction, pursuant to which the sewage lines of the Town are tapped into, shall be done under the direction and control of the Director of Public Works.

SECTION 15. SERVICE CHARGES. The Town shall make the following service charges for the use of its sewage system:

- a. Residential properties — \$10.00 per month
- b. Low-water commercial or public properties — \$25.00 per month
- c. High-water commercial or public properties — \$65.00 per month

For purposes of this subsection (c), a high-water commercial public property includes, but may not be limited to: schools, motels or hotels, highway department facilities, service or gas stations, restaurants or laundries. In the event any user desires to have it determined whether or not a use of property is considered low-water or high water, that determination shall be made by the Town Council.

The following increases are hereby built in to water rates and charges.

1. Residential and Low Water commercial properties shall increase 10% per year.
2. High water commercial properties shall increase 6% per year.

SECTION 16. PAYMENT OF SERVICE CHARGES. The foregoing service charges shall be paid to the Town on or before the 25th day of each month for the preceding calendar month. The Town shall bill each user of the sewage system, specifying the amount owed.

SECTION 17. DAMAGE TO SEWAGE SYSTEM. It shall be unlawful for any person or entity, in any way, to damage any property, equipment, appliance, appurtenance or part of the Town sewage system.

SECTION 18. TRESPASS, INTERFERENCE, DEPOSIT OF REFUSE, ETC.

It shall be unlawful for any person to trespass upon the property of the Town for the purpose of tapping into any sewer mains or to make any connections therewith, to deposit any type of refuse into manholes, or in any manner to interfere with the property, equipment, manholes, piping or appliance of the Town sewerage system. Any person violating this Section, shall be cited before the municipal judge, and upon conviction, shall be found guilty of a misdemeanor. Any person found guilty of violating this Section shall be assessed a fine of not less than \$200.00, nor more than \$500.00, for each offense.

SECTION 19. CONNECTIONS OR DISCONNECTIONS WITH SEWER LINES OR SEWER MAINS.

- A. It shall be unlawful for any person to make any connection with or extend any sewer pipeline or sewer equipment or sewer main which forms a part of the sewer utility of the Town, except pursuant to and in accordance with the permit process required by this ordinance.
- B. Once service to private property has been established by connecting said property to the Town sewage system, no sewer user shall be permitted to disconnect his premises unless the structure so served is removed from the lot, in which event the owner shall not be permitted to take up that portion of the service line between the Town's sewer main and the property line, but, at his expense, the sewer line from the property line to the structure may be dug up, cut and tightly capped,

with the approval of the Director of Public Works.

- C. The sewer service line from the main to such cap shall remain in the ground and will remain the property of the Town. In the event the existing service is abandoned or replaced in favor of a new service, a permit for the new service will not be approved by the Director of Public Works until such time as the old service lines are properly dug up and/or properly capped, as specified by the Director of Public Works.

SECTION 20. PERMIT REQUIRED TO CONNECT TO OR OPEN TOWN SEWERS.

- A. No person shall make any connection to, uncover, or open any portion of the Town sewage system without first obtaining a permit therefor from the Town Clerk.
- B. Any person violating this section shall be cited before the municipal judge and upon conviction, shall be found guilty of a misdemeanor. Any person found guilty of violating this Section shall be fined an amount of not less than \$200.00, nor more than \$500.00, and shall also be required to reimburse the Town for any costs associated with rectifying the improper connection.

SECTION 21. SEWER PERMIT-APPLICATION. Any property owner within the city limits of the Town, desiring to make connection to the Town sewage system, or any enlargement of any sewer service line, shall make written application to the Town Clerk for a permit in accordance with Section 4 above. All such applications shall include, in addition to those items specified in Section 4, specific building plans precisely outlining the proposed plumbing drainage, ventilation and sewage system for the proposed structure. All such applications must also contain a precise description of the property to be served, the kind and size of the requested service line, and the kind and number of fixtures to be served.

SECTION 22. CONTENTS OF PERMIT. Any permit granted pursuant to this ordinance to tap into the Town sewage system shall state the name and address of the person making the connection to the Town sewage system, the legal description of the property to be served, the location of the tap to the Town sewer line, and the size of said tap, including the size of the sewer service line. No permit shall be issued unless the fees prescribed by this ordinance are paid prior to or simultaneously with the issuance of the permit.

SECTION 23. MAINTENANCE OF UNUSED SEWER SERVICE LINES. When installed, and until used, the open ends of all sewer service lines, at the private property line, shall be supplied and fitted with an appropriate cap, to prevent the escape of sewage gas and other material and to prevent the infiltration of unwanted water into the sewage system. Any person desiring to use the sewer service line shall not connect said service until a permit has been obtained in accordance with this ordinance.

SECTION 24. SEWER SERVICE LINE-SIZE AND CONSTRUCTION. The normal size of any sewer service line shall be not less than four inches, nor more than six inches inside diameter of the pipe. All pipe used to install sewer service lines or to connect private structures to the service line shall be constructed of a material, which is acceptable for the intended use.

SECTION 25. SEWER SERVICE LINES - FALL. All service lines and all connections thereto shall be laid with a fall, or grade, so that velocities in the service lines when flowing full will not be less than two feet per second, or sufficient total fall is available. A minimum fall of greater than one quarter inch per foot shall be used.

SECTION 26. SEWER SERVICE LINES - DEPTH. All sewer service lines and connections thereto shall be laid at a depth of at least 3 feet, 6 inches below the established grade. If circumstances require, a greater depth may be required by the Town Council or Director of Public Works.

SECTION 27. SEWER SERVICE LINES - EXCAVATION. All excavation and backfill for sewer service lines and connections thereto in any streets or alleys of the Town shall be in conformity with this ordinance and shall be done under the direction and with the approval of the Director of Public Works.

SECTION 28. SEWER LINES TO BE KEPT FREE FROM DEBRIS. The inside of every sewer line connecting to the Town's sewage system out, until such time as connection is made, to the structure to be served, be left smooth and perfectly clean throughout its entire length. The ends of all lines not yet connected must be securely guarded against the introduction of earth, sand, brick, cement or other foreign materials. The ends of unused sewer lines must also be capped so as to prevent the introduction of water or other material.

SECTION 29. CONNECTION WITH TOWN SEWAGE SYSTEM. Each property within the city limits of the Town which adjoin, abut or are reasonably near

any street or alley or any other place through which there is a town sewage line, shall have all plumbing fixtures in any building or structure on that land connected to the town's sewage system. No connection shall be made by extending the service from one property to another property unless a permit has been obtained as set forth above. All connections to the Town's sewage system shall be done through the permitting process as set forth in this ordinance.

SECTION 30. CONNECTION OF SEWAGE SYSTEM WITH STORM DRAINS, DOWNSPOUTS, ETC. PROHIBITED. It shall be unlawful for any person, firm, corporation, association or any other entity to connect any storm water drains, downspouts, subsurface drainage systems, steam exhaust systems or other wastewater disposal systems to the town's sewage system. Any person violating this section may be cited before the municipal judge of the Town, and upon conviction, shall be deemed guilty of a misdemeanor. Any person found guilty of violating this Section may be fined an amount not less than \$200.00, nor more than \$500.00. Each day upon which the violation continues after the owner has been notified shall constitute a separate and distinct offense under this Section.

SECTION 31. PROHIBITED MATERIALS. It shall be unlawful to deposit or cause to be deposited into any fixture connected with the town's sewage system, any petroleum-based products, paints or other hazardous substances, or any other matter whatsoever which may in any way be injurious to the system or the treatment process associated with the system, or which may in any way cause injury to other users of the town's sewage system. Any person violating this Section may be cited before the municipal judge of the Town, and upon conviction, shall be found guilty of a misdemeanor. Any person found guilty of violating this Section shall be fined an amount of not less than \$200.00, nor more than \$500.00.

SECTION 32. BLOCKAGE OF SEWAGE SYSTEM. No person or entity shall cause or permit the introduction of any item into the Town's sewage system, which might cause a blockage or impasse in any sewer line. Any person causing said blockage by depositing material into the sewage system shall be responsible for reimbursing the Town for any and all costs incurred in correcting the blockage, if the blockage occurs on that portion of the sewage system owned, operated and maintained by the Town.

SECTION 33. SAND AND GREASE TRAPS. All gas or automobile service stations, car washes or other businesses which would have or could have large amounts of sand, dirt, or petroleum products entering the Town's sewage

system, shall be required to install sand and/or grease traps of suitable size and construction as determined by the Director of Public Works or the Town of Chugwater. .

SECTION 34. DUTY TO MAINTAIN SEWER SERVICE LINES AND CONNECTIONS THERETO. The owner of any property connecting to the Town sewage system shall be responsible for the maintenance; upkeep and repair of the sewer line running from the property line to the structure or structures served and shall keep this line in good condition and in good working order.

SECTION 35. FAILURE TO PAY FOR SEWAGE SERVICE. If any user of the Town's sewage system fails to pay the charges required for sewage services set forth in this ordinance as they become due, may have the water service to their property disconnected by the Town, until such time as that user has paid in full all required charges. Any user whose service is terminated pursuant to this section shall reimburse the Town for all cost incurred in disconnecting and reconnecting service before service is re-established.

SECTION 36. DRAINAGE SPECIFICATIONS. The construction, maintenance, and control of plumbing, drainage and ventilation of all buildings in the Town of Chugwater shall conform to and use such materials as are in compliance with any and all federal, state or local building codes in effect at the time construction is undertaken. Such construction methods and materials used shall also be subject to approval by the Town of Chugwater or the Director of Public Works who may condition the granting of a permit upon a change in construction means and/or materials used.

SECTION 37. BOOSTER PUMPS OR PRESSURE PUMPS PROHIBITED. No person, firm, or corporation shall attach a booster pump or pressure pump of any nature whatsoever to the service lines of the Town of Chugwater or to any distribution lines upon any premises.

SECTION 38. PENALTY. Except for the specific penalties provided in this ordinance, any person, firm, corporation, association or any other entity violating any provisions of this ordinance for which a specific penalty is not defined, upon conviction before the municipal judge of the Town, shall be deemed guilty of a misdemeanor and shall be fined in a sum not to exceed \$100.00 per violation.

SECTION 39. EFFECTIVE DATE. This ordinance shall become effective upon the third and final reading and approval of the Town Council.

FIRST READING PASSED ON THIS: **3rd DAY OF August, 2015**

SECOND READING PASSED ON THIS: **8th DAY OF September, 2015**

PASSED, APPROVED AND ADOPTED ON THE THIRD READING THIS:
5th DAY OF October, 2015

TOWN OF CHUGWATER

LaDonna Sand, Mayor

ATTEST:

Linda Webster, Town Clerk

ATTESTATION

I, Linda R. Webster, Town Clerk of the Town of Chugwater, Chugwater, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming law were complied with.

Linda R. Webster,
Town Clerk

