

ORDINANCE NO. 829

AN ORDINANCE AMENDING AND ADOPTING CERTAIN SECTIONS OF CHAPTER 15 OF THE CODE OF THE TOWN OF HUDSON REQUIRING WATER METER PITS, DETAILING RESPONSIBILITY FOR COSTS OF INSTALLATION, MAINTENANCE AND REPAIR OF METERS AND LINES AND ESTABLISHING A MECHANISM FOR PAYMENT FOR CONNECTIONS TO AN EXISTING LINE AND REQUIREMENTS FOR NEW CONNECTIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF HUDSON, WYOMING:

CHAPTER 15 OF THE CODE OF THE TOWN OF HUDSON IS ADOPTED TO READ AS FOLLOWS. THESE PROVISIONS SUPERCEDE ANY PREVIOUSLY PASSED ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT HEREWITH.

15.36 Installation and New Construction/Water Meter. - The applicant shall be responsible for acquiring a water meter from the Town at the rate or fee specified from time to time by the Town Council. Said water meter shall be the property of the Town of Hudson and shall be installed at the permit holder's cost by a licensed plumber in compliance with all provisions of Chapter 15. At the time of installation if practicable, or after installation, the applicant shall notify the Town and have the water meter inspected by the Town for proper installation. All new modular homes, mobile homes and other construction must have an easily accessible meter pit or have the location of the water meter approved by the Town so as to facilitate accessibility for meter readings and access by Town employees.

15.37 Certificate Required. - No permit for connection to Town water shall be granted without the certification of the Public Works Director or approval of the Town Council that the water line up to and including the meter connections complies with established plumbing standards including regulations, specifications, and standards adopted by the Town and the Uniform Plumbing code. This certification shall include approval of the Meter Pit and location on all new construction or placement of modular or mobile homes and other new construction if needed for purposes of access to the water meter for reading.

15.38 Definition of Water Line Connection/Costs. - A "connection" or "tap" to a Town water utility line within the provisions of this Chapter shall mean the first connection and use of Town water to or from an existing line by any water user within the Town of Hudson including, but not limited to, connection to an existing main line by a developer for further residential or commercial development, or connection to an existing service line by an individual, residential, or commercial user. The specific intent of this Chapter and the provisions herein are to levy a charge upon any user to aid in offsetting and defraying the user's proportionate share of the cost of the total public utility system. In addition to all other charges, when the tapping of or connection to a water line requires the cutting or breaking of the surface of a street or alley, if such work is performed by the Town on an emergency basis, the permit applicant or holder shall

be responsible for those costs. Any person desiring to cut or break the surface of a street or alley for the purpose of tapping or connecting to a water main shall first obtain a utility excavation permit from the Director of Public Works or the Town Council. The costs associated with taps, connections to, or extensions of Town mains may be reviewed and decided by the Town Council giving consideration to all appropriate and equitable factors in the event it appears an applicant may be unduly burdened by the extension of a main.

15.39 Inspection of Utility Line Installation. - Licensed plumbing or utility contractors installing water utility lines within the Town of Hudson shall notify the Town Director of Public Works of the time and place of such installation or construction and shall permit the Town Director of Public Works or other Town representatives or employees to inspect the utility lines project and the lines in place and the bedding material to be used prior to covering the utility lines being installed or constructed and shall notify the Town Director of Public Works subsequent to the bedding of same and permit further inspection in order that the installation or construction will conform to the Town of Hudson Standards and Specification.

15.40 Access to Meter and Meter Pit. - The Town shall have the right to inspect the water meter and water meter pit area at all times.

15.41 Responsibility for Charges. - The applicant and permit holder shall be responsible for all charges incurred under this Chapter. All charges shall also constitute a lien upon the premises served.

15.42 Standards and Specifications. - The Director of Public Works shall adopt standards and specifications for the construction of water connections, subject to the approval of the Town Council which shall be followed by all water users.

15.43 Ownership and Responsibility for Installation, Repair and Maintenance. The owner of the premises and holder of the permit shall be responsible for all costs of installation for water service lines from the Town main to the structure to be served. Additionally, the owner or permit holder shall be responsible for any damage to the water meter. The water connection and lines up to the main shall belong to the owner of the premises and the owner shall be responsible for all costs of repair and replacement of any service line up to the main.

15.44 Tampering with Water System. - No person shall open any fire hydrant, or alter any valves, or otherwise tamper with the municipal water system, except as authorized by the Town.

15.45 Restrictions and Variations on Use. - The use of water may be restricted by the Fire Chief or the Mayor due to fire or the Mayor may authorize variations of water use to conserve the water supply, or in certain areas to prevent freezing water lines.

15.46 Care of Water Service Installations. - The owner or owners of the property served by each municipal water service line are responsible for all lines and all maintenance of any installation from the main line to the premises served. The owner or owners responsibility includes continued care, maintenance, protection, preservation and when necessary the

replacement of the curb box and shut-off valve and maintaining the location and accessibility of the installation and keeping the curb box at all times clean and on grade. Owners are responsible for any damages which may be occasioned by malfunction of the installation or leak of the service line. In the event owners do not discharge their continuing responsibilities, the Town may furnish the necessary materials and cause the necessary work to be done and all costs and expenses incurred by the Town in the course thereof shall be charged to the persons responsible therefore. Said charges shall be added to the bill for water rentals accruing for water service through the line or shall be billed directly to the owner of the premises. The water service through the line may be turned off until such costs and expenses shall be paid to the Town in full.

15.47 Ownership of Meter. - The owner of the premises shall be responsible for any damage to the meter, but the meter shall remain the property of the Town.

15.48 Abandonment of Water Line and Procedure –

- (a) The owner, his successors or occupant of the property or premises served by each municipal water service line shall remain responsible for the service lines as provided herein until such time as the service line is properly abandoned. Any owner or occupant that desires to abandon a service line shall first notify the Town of Hudson Public Works Department of his intent. In order to properly abandon the service line, it shall be disconnected from the main and capped at the main or other location approved by the Town Public Works Department. Upon completing the cap, the Town Public Works Department shall be notified to inspect and approve the same. Once approved by the Town, the owner or occupant shall be relieved of the responsibilities set forth herein with regard to the line abandoned. All costs incurred in the abandonment shall be the responsibility of the owner of the property.
- (b) Any owner or occupant of property who is aware of an abandoned service line currently existing on his property shall provide written notice to the Town of Hudson of the abandoned line and its approximate location on the property and shall disclose the fact of an existing abandoned service line on any subsequent transfer of the property.

15.49 Right of Town to Enter Property for Administration of this Chapter. – Public works employees and elected Town officials shall be permitted to enter all properties for the purpose of inspection, observation, measurement and sampling of water to assure compliance with all provisions of this ordinance.

15.50 Penalties. - Failure to comply with the provisions of this ordinance is a misdemeanor punishable by up to a \$750.00 fine per violation. Failure to immediately cure an existing violation may result in the issuance of multiple informations or citations by the Town Attorney to any offender for noncompliance.

PASSED ON FIRST READING THIS 13 DAY OF September, 2007

PASSED ON SECOND READING THIS 9 DAY OF October, 2007

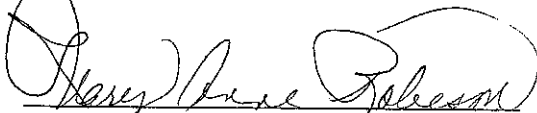
PASSED ON THIRD READING THIS 13 DAY OF November, 2007

TOWN OF HUDSON, WYOMING



Jake Hamon, Mayor

ATTEST:



Mary Anne Robeson, Town Clerk

CHAPTER 15

WATER.

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- § 15.50. Penalties

Article I. In General.

Sec. 1-1. Definitions.

The purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section:

Water service line. The line running from the municipal water main to the structure or property to be served.

Water utility. All water and water rights, waterworks, and appurtenances thereto, machinery, equipment, and supplies used by the municipality to supply consumers with water; provided that the water service line from the meter riser or curb stop to the structure or property served shall be regarded the property of the owner of such structure or property served.

Sec. 15-2. Reservation of rights by municipality.

The use of water under the provisions of this chapter shall not constitute or be deemed to be a relinquishment of any water or water right by the municipality, and the municipality reserves the full right to determine all matters in connection with the control and use of such water.

Sec. 15-3. Promulgation of rules and regulations by administrative official.

The administrative official may, from time to time, promulgate such rules and regulations as he or she considers necessary to carry out the intent of this chapter; provided, that such rules and regulations are not inconsistent with this chapter.

Sec 15-4. Agreement to rules and regulations prerequisite to commencement of service.

No person may be served with water from the water utility unless he or she agrees to all of the rules and regulations of the municipality pertaining to the use of such water.

Sec. 15-5. Records and reports of administrative official.

The administrative official shall keep such records and prepare such reports concerning the water utility as the governing body directs. The administrative official shall keep the governing body advised of the operations, financial conditions, and future needs of the water utility, and shall prepare and submit to the governing body each month a report covering the activities of the water utility, including a statement of revenues and expenditures of the preceding month.

Sec. 15-6. Fire hydrants--Repair; testing.

All fire hydrants shall be a part of the water utility and shall be kept in repair by the administrative official or his or her authorized agents. Every hydrant shall be tested at least once annually.

Sec. 15 -7. Same--Opening or operating.

No person, other than a member of the fire department, shall open or operate any fire hydrant in the Town without permission from the administrative official.

Sec. 15-8. Damaging utility's property, equipment, etc.

No person shall in any way damage any property, equipment or appliance constituting or being a part of the water utility.

Sec. 15-9. Trespass or interference with utility's property, etc.

No person shall trespass upon the property of the water utility or tap any water mains or make any connections therewith or in any manner interfere with the water utility or the property, equipment, pipes, valves or any other appliances of the water utility or change or alter the position of any valve or appliance regulating the flow of water in any pipeline.

Sec. 15-10. Depositing material in utility which will obstruct, pollute, etc., water.

No person shall cast, place, dump or deposit in any part of the water utility, any substance or material which will in any manner, injure or obstruct the same or any material or substance that would tend to contaminate or pollute the water or obstruct the flow of water.

Sec. 15-11. Restrictions on use.

(a) Lawn sprinkling. The use of water from the water utility for lawn sprinkling purposes may be prohibited or restricted by order of the administrative official. Except as provided in subsection (b) of this section the order shall be effective when notice thereof is published once in a daily newspaper published in the municipality. Upon the publication of the notice, the sprinkling restrictions or prohibitions so prescribed shall take effect and any violator thereof shall be punished as provided in section 1-5.

No hose nozzle or discharge vent used for sprinkling water from the water utility shall be more than one-quarter inch in diameter.

(b) During fire or other emergency. In the event of

a major fire or any other emergency that should require the immediate curtailment of the use of water from the water utility, the administrative official shall have the authority to make such restrictions as he deems necessary for the protection of the public.

(c) Use in commercial agriculture. The use of water from the water utility for commercial agricultural purposes is prohibited.

(d) Use on property not connected to utility. No person having water service shall permit any other person to take or use water from his water service for use on property not connected to the municipal water utility.

(e) Cross connections between water utility and private well line. No person shall have a cross connection between a private line carrying well water and a line carrying water from the water utility.

Sec. 15-12. Discontinuance of service--Failure to comply with regulations.

If any water user fails to comply with the provisions of this chapter, other ordinances or rules and regulations of the municipality or the rules and regulations of the administrative official or uses water for a purpose not authorized or in a wasteful manner, the municipality may discontinue water service until the water user is in compliance and has paid any costs incurred because of his noncompliance.

Sec. 15-13. Same--Failure to pay charges.

In case any water user shall fail to pay all charges as prescribed by this chapter, the municipality shall shut off the water from the premises, building, house or lot, and water shall not be turned on again until all charges are paid, together with the charge for shutting off and turning on the water; provided, that the municipality shall not shut off the water until the owner shall have been given seven days notice in writing, by regular mail, mailed to his mailing address as shown on the records of the water utility.

Sec. 15-14. Extension outside corporate limits--Authority of governing body.

The governing body may in its sole discretion enter into agreements with customers whose lands lie outside the corporate limits, to extend the municipality's water system and supply water for the use, needs and requirements of such customers.

Sec. 15-15. Same--Required findings prerequisite.

Before the governing body shall enter into any agreement