

ORDINANCE NUMBER 160

AN ORDINANCE REGULATING THE DISPENSATION OF WATER FROM THE MUNICIPAL WATER SYSTEM, CHARGES SET THEREFORE AND THE COLLECTION OF THE SAME. REPEALING ORDINANCE NOS. 63, 63-A, AND 63-B

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS:

SECTION 1. DEFINITION OF TERMS.

That, as employed herein, the word "person" shall be construed as applying to any person, family, group of families, organization, business firm, or other group of persons who may act in unison in the matter of purchasing water from the Town of Mills, through its municipal water system.

And that, for the purposes of this ordinance, the word or term "consumer" shall be construed as applying to each such person, family, group of families, organization, corporation, business firm, or other group of persons residing in, or operating from, one house or one location while so purchasing water. And no group, or groups, as hereinbefore enumerated, residing in or operating from one house or one location, shall, by reason of the existence and operation upon premises occupied by him, it, or them of more than one water meter, be regarded as more than one consumer. Provided that, in the case of any corporation, company or other group or organization, operating or conducting a business, or businesses, at two or more separate establishments, each such separate establishment shall be regarded as a separate consumer, and shall pay water rental fees in accordance with such designation.

And that the term "The Town" shall be understood to refer to the Town of Mills, Wyoming, and "the Water Commissioner" as employed herein, shall be construed as applying to the Water Commissioner of the Town of Mills and to no other.

SECTION 2. FEE FOR TURNING WATER ON---COMPLIANCE WITH REGULATIONS TO BE REQUIRED. That any person, as hereinbefore defined, intending to consume water from the Town of Mills Municipal Water System, shall notify the Water Department Office of his intention and of his desire to have the water turned into the individual lines from which he expects to draw it, and shall pay the Clerk at said office a fee of One (\$1.00) dollar for the said service and shall thereafter pay to the Town of Mills, the regular water rental fee, as hereinafter established, and shall in all manner be subject to, and shall abide by, all rules, and regulations established by the Town of Mills concerning the dispensation of water from the Municipal Water System and/or the consumers of such water.

SECTION 3. WATER MAINS TO BE TAPPED BY WATER COMMISSIONER ONLY--FEES That any person desiring the tapping of a water main belonging to the Town of Mills, for the purpose of attaching an individual line thereto, shall be required to pay to the Water Department office, in addition to the fee for turning the water on, as specified above, a fee of two (\$2.00) dollars' for the tapping of such water main. And that all persons other than the Water Commissioner or other person expressly authorized by him or by other competent authority to do so, are hereby prohibited from tapping, or in any way making any opening in, or connection to, or from otherwise disturbing, molesting, or altering any water main or other line, belonging to the Town of Mills.

SECTION 4. INSTALLATION AND MAINTAINANCE OF EQUIPMENT FOR WATER SERVICE. That any person installing equipment for individual water service from the Town of Mills Municipal System shall be required to furnish and install, or have installed, at his own expense, unless otherwise arranged by agreement with the Town Council, all equipment for the conveyance of water from the main water line nearest his property to whatever outlet, or outlets, he may establish, but no Water Commissioner shall tap, or permit the tapping of any main line of the Mills Water System for the purpose of attaching thereto, any individual water line which fails in any way to comply with the aforesaid specifications, or with any part thereof. And, in the case

of any breakage occurring in any individual water line, necessitating repair or replacement, it shall be the duty of the person owning the property in which such line is installed to make such repair or replacement; provided that no person shall be required to make repairs or replacements of any water line outside the boundaries of his own property. And the maintenance of all water lines, exclusive of those installed within the boundaries of individual properties, is hereby acknowledged to be, and established as being the responsibility of the Town of Mills.

SECTION 5. SPECIFICATION OF EQUIPMENT REQUIRED FOR WATER SERVICE

The equipment for individual water service required by the Town of Mills shall consist of a 3/4" copper corporation cock, to be installed at the opening that is made in the main water line, and copper piping, 3/4" in diameter, for the conveyance of water from the said main line to the point at which the property to be served adjoins the street in which such main line is located; Requirements shall include a curb box and curb cock, a water meter approved by the water commissioner for the measuring of water consumed, said meter must be installed in a location easily accessible for reading and repairing. Electrical extensions on water meter for convenience in reading said meter will be acceptable. A valve must be installed on each side of said water meter within 12" of the meter, provided that, except as hereinbefore provided, all water lines whatever, up to the point at which the meter is installed, shall be constructed of new piping, approved by the Water Commissioner, and laid at a depth of not less than five feet. It shall be the duty of the property owner to keep water meter in working order at all times. Provided further, that, in those cases in which meters have been installed at any time prior to the enactment of this ordinance, this section shall not be construed as requiring the replacement of any such meter because of its being of a type or brand differing from the requirement herein specified. Provided also, that the Town Council shall have authority, in individual cases and for valid reason, to permit the installation and use of equipment other than that specified by this section.

SECTION 6. WATER RATES FOR HOUSEHOLDERS. That, unless and until otherwise established by ordinance of the Town Council, the water rental fee, for householders, shall be Four dollars and fifty cents (\$4.50) for each quarter of a year, the said fee to be considered payment in full for four-thousand, five-hundred (4,500) gallons of water, or any part thereof, consumed by such householder, and all water, over and above the said minimum quantity, shall be charged for at the rate of twenty cents (20¢) per thousand (1,000) gallons, except as hereinafter provided.

SECTION 7. IRRIGATION RATE FOR HOUSEHOLDERS. That, during the months of summer, (for the purposes of this ordinance, the months from April first to September thirtieth, inclusive, are to be considered summer months) a special irrigation rate of four dollars and fifty cents (\$4.50) for each of the calendar quarters of April, May, June, and July, August, September, to be considered as payment in full for four-thousand, five-hundred (4,500) gallons of water, or any part thereof, consumed by any householder during such quarter, and ten (10¢) cents per thousand (1,000) gallons, for all water consumed by each such householder over and above the said minimum quantity, shall be allowed to all householders for the purpose of irrigating gardens, lawns, and other general home improvement vegetation.

SECTION 8. MORE THAN ONE CONSUMER ON ONE METER. That, in those cases in which two or more consumers, neither of whom is exempt from charge under any section of this ordinance, are obtaining water measured by one common meter, each such consumer shall be required to pay the established current minimum charge, and the minimum quantity of water, allowed through such meter, before assessing any additional charge for additional gallons consumed, shall be the amount currently allowed as a minimum quantity for meters serving one consumer, multiplied by the number of consumers who are receiving water measured through that meter.

SECTION 9. RATES FOR INDUSTRIAL CONCERNS. That the water rental rate for industrial concerns and for those generally who consume water for other than household or moderate irrigation purposes, and who employ piping and meters larger than the customary 3/4" for the conveyance and measuring of such water, shall be Nine (\$9.00) dollars for each quarter year, which amount shall be considered as payment in full for each nine-thousand (9,000) gallons of water, or any part thereof, consumed in any one quarter, and all water, over and above the aforesaid quantity consumed by such concern in any one quarter, shall be paid for at the rate of twenty (20¢) cents per thousand gallons.

SECTION 10. PART MINIMUM TO BE CHARGED TO RESIDENTS OCCUPYING PREMISES FOR HALF MONTH OR LESS. That, in the case of a water consumer having occupied premises within the Town of Mills, for only one half of any calendar month for which charges are being computed, or for a shorter period of time, the charge for such water shall be one half the usual minimum, plus the gallonage charge for water used over the minimum amount.

SECTION 11. CONTRACTS OUTSIDE OR WITHIN THE TOWN LIMITS. That the Town Council of the Town of Mills shall have full authority to make contracts with persons, corporations, or business concerns, outside or within, the limits of the Town of Mills, to convey water to such person, corporations, or concern, by such means as may be agreed upon and mentioned in such contract, in such quantities and at such rate of payment as the said Council may permit and establish. Provided, however, that this section shall not be construed as authorizing the sale, by the said Council, of any water outside the Town limits in such quantities as to jeopardize the supply, at any time, of water available for the consumers within the Town Limits.

SECTION 12. WATER RENTAL FEES DUE, WHEN----DEFAULTERS INELIGIBLE FOR WATER SERVICE. That all water rental fees assessed against any consumer of water from the Town of Mills Municipal System shall, upon issuance to the said consumer of a bill for said fees, become due and payable immediately. And that any such consumer, failing for a period of more than fifteen (15) days following the issuance to him of a bill for water consumed as aforesaid, to make full payment of the same, shall be deemed in default of such payment, and, upon official notice being given him of such delinquency, shall be entitled to an additional period of not more than ten (10) days during which to make payment. At the expiration of which period of time, the amount of said bill, together with a penalty of ten Per cent (10%) and a reasonable attorney's fee which is incurred therein, may be recovered by the Town of Mills and, in addition thereto, all water service to such consumer shall be discontinued without further notice. Provided that the official notice of such delinquency, herein designated, shall be in writing and either sent by registered mail to the defaulting consumer, or delivered to him personally by an authorized official of the Town. Provided, further, that any person whose water supply has been discontinued because of default, as herein provided, shall be ineligible for water service at any location whatsoever within the Town of Mills, either for himself or for any tenant who may subsequently occupy premises owned by the defaulter and wherein the water for which payment has not been made was used and consumed, such ineligibility to exist and continue until all fees assessed to the aforesaid defaulter and all other expenses incurred by the Town of Mills in connection with his delinquency, including the regular fee for returning the water to his individual lines, shall have been paid in full.

SECTION 13. LANDLORD RESPONSIBLE FOR CHARGES. That any person who shall request water service from the Town of Mills Municipal Water System to any tenant occupying premises of which such applicant is the owner, shall be liable jointly with such tenant, or separately for all charges by the Town for water consumed by such tenant. And all such charges, unpaid, shall become a lien upon or against the property of such landlord and shall be collectible in the manner provided by law.

SECTION 14. PERSONS REMOVING FROM TOWN OF MILLS DEEMED IN DEFAULT. That any water consumer, other than an owner of property within the Town of Mills, who shall, without making full payment of all charges against him for water consumed from the Municipal System, remove from the Town of Mills, or who shall attempt or prepare to so remove, shall be subject to such legal action as the Town Council may deem necessary for the collection of the same.

SECTION 15. PENALTY FOR INFRACTIONS. That any person, as hereinbefore defined, who shall take or consume any water from the Town of Mills Municipal Water System, without having first fully complied with the provisions of this Ordinance, or who, without full authority to do so, shall tap, open, disturb, or in any way molest any part of the Municipal Water System of water lines in any way whatsoever, or who shall conceal or attempt to conceal any such act committed by any other person, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not more than One-hundred (\$100.00) dollars, nor less than Five (\$5.00) dollars.

SECTION 16. REPEALING ORDINANCES NUMBERED 63, 63-A and 63-B. That Ordinances Numbered 63, 63-A and 63-B, be and the same are hereby repealed.

SECTION 17. ORDINANCE NOT TO BE INVALIDATED BY ANY PART HEREOF. That, if any section, sentence, clause or phrase of this Ordinance is, for any reason, declared unconstitutional or in violation of the Statutes of the State of Wyoming, such decision shall not affect the remaining portion of this Ordinance which shall continue in force, the same as though no deletion had been made.

APPROVED, PASSED AND ADOPTED THIS 8 DAY OF July, 1966.

SIGN George Sward
MAYOR

SEAL

ATTEST: Norene Reed
TOWN CLERK

I, Norene Reed, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 160, "AN ORDINANCE REGULATING THE DISPENSATION OF WATER FROM THE MUNICIPAL WATER SYSTEM, CHARGES SET THEREFORE AND THE COLLECTION OF THE SAME. REPEALING ORDINANCES NOS. 63, 63-A and 63-B". Passed by the Town Council of the Town of Mills, Wyoming at a Regular meeting held at the Council Chamber of the Town Hall, on the 8 day of July, 1966.

SIGN Norene Reed
TOWN CLERK

I, regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed and certified copies of this Ordinance (No. 160) approved and passed, as certified above, were, following its passage by the Town Council, posted up in three public places within the Town of Mills, Wyoming, for a period of ten days, as required by law; that it took effect and became in force as a legal Ordinance of the Town of Mills, Wyoming, on the 23 day of July, 1966.

SIGN Norene Reed
TOWN CLERK

PASSED FIRST READING: May 6, 1966

PASSED SECOND READING: June 10, 1966

PASSED THIRD READING: JUL 8 - 1966