

ORDINANCE NUMBER SIXTY-THREE

REGULATING THE DISPENSATION OF WATER FROM THE MUNICIPAL WATER SYSTEM, CHARGES SET THEREFOR AND THE COLLECTION OF THE SAME -- REPEALING ORDINANCES NUMBER THIRTY-FOUR, THIRTY-FOUR A AND FORTY-FIVE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLS, WYOMING:

SECTION 1. ----- REPEALING ORDINANCE NUMBER THIRTY-FOUR. That ordinance number Thirty-four, which is entitled: "An ordinance Concerning the Water Supply of the Town of Mills, Wyoming, Fixing Rates Therefor and Establishing Rules and Regulations Pertaining to the said Water Supply," shall be, and is, hereby repealed.

SECTION 2. ----- REPEALING ORDINANCE NUMBER THIRTY-FOUR A. That ordinance number Thirty-four A, which is entitled: "An ordinance Amending Section Four of Ordinance Number Thirty-four", ~~which is an ordinance Entitled:~~ "An Ordinance Concerning the Water Supply of the Town of Mills, Wyoming, Fixing Rates Therefor and Establishing Rules and Regulations Pertaining to the said Water Supply", shall be, and is, hereby repealed.

SECTION 3. ----- REPEALING ORDINANCE NUMBER FORTY-FIVE. That Ordinance number Forty-five, which is entitled: "Ordinance Number Forty-five of the Town of Mills, Providing for Winter and Summer Rates for Water Furnished by the Town of Mills to Householders," shall be, and is, hereby repealed.

SECTION 4. ---- 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 purpose 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 other 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

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SECTION 5. ----- FEE FOR TURNING WATER ON ---- WATER RENTALS TO BE PAID -- 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 commissioner of his intentions, and of his desire to have the water turned in to the individual lines from which he expects to draw it, and shall pay the said water commissioner 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 or otherwise fixed by ordinance of the town council, 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 6. --- CONSUMER MAY DRAW WATER FROM OUTLET INSTALLED UPON NEIGHBORING PREMISES.

That, in the case of a person applying for water service but residing at a location wherein no installation of equipment for such service has been made and wherein it is for any reason impracticable or undesired to make such installation, the said applicant may, by permission of the water commissioner, be allowed to draw water from any outlet already installed, at whatever point is nearest or most convenient to his residence; provided that the water, so obtained, after allowance of the first thirty days free of charge as hereinafter provided, shall be paid for at the same rate as that set by ordinance for domestic consumers in general.

SECTION 7. --- ALLOWANCE OF TIME FOR INSTALLATION OF EQUIPMENT.--- THIRTY DAYS EXEMPTION.

That, in the case of a person residing at a location wherein no equipment for water service exists and desiring to make such installation, a period of thirty days during which no charge shall be imposed upon such person for water for household use shall be allowed. And in no case shall a person not previously a consumer of water from the town of Mills

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SECTION 7. --- ALLOWANCE OF TIME FOR INSTALLATION OF EQUIPMENT ---Cont.

a consumer of water from the town of Mills' municipal water system, residing at allocation in which no equipment for water service exists, be taxed or charged at all by the town of Mills for water for household use during the first thirty days of his residence at such location; but charges for all water measured through any water meter from the Mills municipal water system, shall be assessed against the householder currently responsible for charges for water measured through that meter, and no additional minimum charge shall be assessed in the case of either of the additional consumers provided for by this section. And that any consumer who shall permit any other person to obtain water, free of charge by the town of Mills as provided in any section of this ordinance, measured through any meter possessed by such consumer, shall be entitled to collect from such other person, so obtaining water, reimbursement in full for such part or portion of his water rental fee as may be estimated, by himself or by the water commissioner, to have been consumed by such other person. But all consumers of water from the municipal water system of the town of Mills, shall possess the right to refuse any other person the privilege of obtaining water from any hydrant, hydrants, or other outlet, or outlets, upon premises occupied or possessed by such consumer:

SECTION 8. ----- 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 commissioner, in addition to the fee for turning the water on, as specified in section 5 of this ordinance, 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

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SECTION 8. --- WATER MAINS TO BE TAPPED BY WATER COMMISSIONER ONLY --- FEES.
(cont.)

connection to, or from otherwise disturbing, molesting, or altering, any water main or other line, belonging to the town of Mills.

SECTION 9. --- INSTALLATION AND MAINTAIN^EANCE OF EQUIPMENT FOR WATER SERVICE.

That any person installing equipment for individual water service from the town of Mills' municipal water 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 the water commissioner shall require that all such equipment shall comply with all specifications established by ordinance of the town council, and 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 shall fail 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 maintain^eance 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 10. --- SPECIFICATION OF EQUIPMENT REQUIRED FOR WATER SERVICE.

That in those cases in which the required materials are with reasonable effort available, the equipment for individual water service required by the town of Mills shall consist of a three-fourth inch, copper corporation cock, to be installed at the opening that is made in the main water line, and copper piping, three-fourths inch in diameter, for the conveyance of water

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SECTION IO. ---SPECIFICATION OF EQUIPMENT REQUIRED FOR WATER SERVICE. (CONT)

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; provided that, in those cases in which the above named equipment is not conveniently obtainable, the installation of galvanized piping, new, and of the required diameter, and attached to the main water line by means of a leaden goose-neck and attached corporation cock, shall be permitted. Requirements shall, in all cases, include a curb box and curb cock, a Badger meter for the measuring of water consumed, and a stop and waste valve; said valve to be installed at any accessible point in the line between the meter and the outlet of such line; 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. 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 water meter because of its being of a type or brand differing from the requirements 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 II. --- WATER RENTAL RATES FOR HOUSEHOLDERS.

That, unless until otherwise established by ordinance of the town council, the water rental fee, for householders, shall be One Dollar (\$1.50) fifty cents for each calendar month, the said fee to be considered payment in full for One Thousand, Five Hundred (1500) 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 (20¢) cents per thousand (1000) gallons; except as hereinafter provided.

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SECTION 12. -- IRRIGATION RATE FOR HOUSEHOLDERS. That, during the months of summer (For the purpose of this ordinance, the months from May first to September thirtieth, inclusively, are to be considered summer months) a special irrigation rate of One (\$1.00) dollar for each calendar month, to be considered as payment in full for One Thousand (1000) gallons of water, or any part thereof, consumed by such householder during such month, and Ten (10¢) cents per thousand (1000) gallons, for all water consumed by the said 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 13. -- 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 14. --- NO READING OF HOUSEHOLDERS' METERS DURING WINTER MONTHS. That during the months of winter (and for the purpose of this ordinance, all months other than those hereinbefore designated as summer months, shall be regarded as winter months) and in the case of those consumers who customarily use only the minimum amount of water, it shall be permissible for the water commissioner, by permission of the town council, to omit his customary, monthly readings of meters by which water is measured to such consumers-- householders, generally -- and to assess to each such consumer, a flat charge of One dollar (\$1.50) Fifty cents per calendar month, which said amount shall be deemed payment in full for all water consumed during such

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SECTION 14.--(Cont.) month by such consumer.

SECTION 15. ----- 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 three-fourths inch, for the conveyance and measuring of such water, shall be Three(\$3.00) dollars for each calendar month, which amount shall be considered as payment in full for each Three thousand (3000) gallons of water, or any part thereof, consumed in any one month, and all water, over and above the aforesaid quantity consumed by such concern in any one month, shall be paid for at the rate of Twenty (20¢) cents per thousand (1000) gallons.

SECTION 16. --- 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, and having consumed less than one half of the allowed minimum amount of water, the charge for such water shall be one half the usual minimum.

SECTION 17. ----- 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 persons, corporations, or concerns, by such means as may be agreed upon and mentioned in such contracts, 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.

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SECTION 18. ---- WATER RENTAL FEES DUE, WHEN --DEFAULTERS INELIGIBLE FOR WATER SERVICE.

That all water rentals fees assessed against any consumer of water from the town of Mills' municipal water system shall, upon issuance to the said consumer of a bill for the said fees, become due and payable immediately. And that any such consumer, failing, for a period of more than 2 months 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 15 days during which to make payment; at the expiration of which period of time, all water service to such consumer shall be discontinued without further notice. Provided that the official notice of 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 19. --- 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 in law.

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SECTION 20. --- DUTIES OF WATER COMMISSIONER IN REGARD TO DELINQUENT CONSUMERS
That, in the case of any persons' having become ineligible for water service from the municipal water system, as provided in either section eighteen or section nineteen of this ordinance, it shall be the duty of the water commissioner to shut off and stop the supply of water from any premises within the town of Mills occupied or owned by such defaulter, and to keep the said supply so stopped and shut off until all charges and costs assessed against such delinquent consumer have been paid in full. And no water commissioner shall turn on the water supply, or suffer the same to be turned on, for the accommodation of any such delinquent consumer, or for any tenant occupying premises owned by such defaulter, until all charges and costs assessed against him are fully paid as aforesaid.

SECTION 21. ---- PERSONS REMOVING FROM TOWN OF MILLS DEEMED IN DEFAULT.
And 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 deemed a defaulter to the town in the amount of such charges, and shall be subject to such legal action as the town council may deem necessary for the collection of the same.

SECTION 22. ---- 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 so to do, shall tap, open, disturb, or in any way molest any part of the said municipal 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

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SECTION 22. --- PENALTY FOR INFRACTIONS. (Cont.)

One hundred dollars (\$100.00), nor less than One dollar (\$1.00).

SECTION 23. ---- 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 Wyoming, such decision shall not effect the remaining portion of this ordinance which shall continue in force, the same as though no deletion had been made.

SECTION 24. --- THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE AFTER TEN DAYS FROM DATE.

APPROVED AND PASSED, THIS 20th DAY OF August, 1945.

(Sign)

Fred Steinkamp
Mayor

(Seal)

ATTEST)

Agnes M. Sutphin
Clerk

I, Agnes M. Sutphin, town clerk of the town of Mills, do hereby certify that the above is a true and correct copy of ordinance number Sixty-three, entitled: "Regulating the dispensation of Water from the municipal Water System, the Charges set therefor and the Collection of the Same --- Repealing Ordinances number Thirty-four, Thirty-four A, and Forty-five," passed by the town council of the town of Mills, at a special meeting held at the council chamber of the town hall, the 20th day of August, 1945.

(Sign)

Agnes M. Sutphin

I, Agnes M. Sutphin, do hereby certify that this ordinance was by me posted up in three public places within the town of Mills, and that it took effect and became effective as a legal ordinance of the town of Mills, the 31st day of August, 1945.

(Sign)

Agnes M. Sutphin
Clerk

I, Agnes M. Sutphin, duly appointed and acting clerk of the town of Mills, do hereby certify that this ordinance number sixty-two entitled: "The Annual Appropriation Ordinance for the Next Fiscal Year" (Beginning May 1, 1945 and ending April 30, 1946) was by me posted up in three public places within the town of Mills, and that it took effect and became effective as a legal ordinance of the town of Mills, the ~~1st~~ day of ~~April~~, 1945.

May

(Sign) *Agnes M. Sutphin*
Clerk