

ORDINANCE NUMBER NINETY-NINE

PROVIDING FOR THE OPERATION, MAINTENANCE AND REGULATION BY THE TOWN OF MILLS, WYOMING, OF THE MILLS SANITARY SEWER SYSTEM, DESIGNATING THAT WHICH SHALL CONSTITUTE AND BE KNOWN AS SUCH SEWER SYSTEM; PROVIDING FOR THE ESTABLISHMENT OF REGULATIONS UNDER WHICH SUCH OPERATION, MAINTENANCE AND REGULATION SHALL BE CARRIED ON, AND SERVICE FROM SUCH SEWER SYSTEM SHALL BE DISPENSED, AND PROVIDING AND ESTABLISHING SUCH REGULATIONS; DENYING THE CLAIM OF ANY SUIT AGAINST THE TOWN ARISING FROM ANY INTERRUPTION OR FAILURE OF THE SAID SERVICE; CREATING THE OFFICE OF SEWER COMMISSIONER AND ESTABLISHING GENERAL REGULATIONS FOR THE SAID OFFICE AND FOR ITS INCUMBENT; PROVIDING FOR THE APPOINTMENT AND QUALIFICATION OF A PERSON TO OCCUPY THE SAID OFFICE, THE MANNER OF SUCH APPOINTMENT, AND THE TERM OF OFFICE, DUTIES, SALARY, AND AUTHORITY, OF SUCH OFFICER, AND FOR THE FILLING OF HIS OFFICE BY EX OFFICIO APPOINTMENT, IN ANY CASE OF ABSENCE OR INCAPACITY OF THE REGULAR APPOINTEE; DEFINING THE TERMS HEREIN EMPLOYED AND PROVIDING THAT THE DEFINITIONS GIVEN SHALL ALONE BE APPLIED TO SUCH TERMS FOR THE PURPOSES HEREOF; PROHIBITING THE MAKING OF ANY CONNECTION OR HOOK-ON ATTACHMENT OF ANY PRIVATE SEWER OR DRAIN TO THE SEWER SYSTEM, OR TO ANY LINE THEREOF, OR THE CONTINUING TO RECEIVE SEWERAGE SERVICE BY MEANS OF ANY SUCH CONNECTION OR HOOK-ON ATTACHMENT HERETOFORE MADE, EXCEPT BY AUTHORITY OF AN OFFICIAL PERMIT ISSUED THEREFOR; PROVIDING THE FORM OF APPLICATION TO BE FILED IN SEEKING ANY SUCH PERMIT, AND REQUIRING THE INCLUSION THEREIN OF AN AGREEMENT BY THE APPLICANT TO PERMIT ANY AUTHORIZED OFFICER OF THE TOWN TO ENTER UPON HIS PREMISES FOR THE PURPOSE OF INSPECTING HIS PRIVATE SEWER AND ALL ITS APPURTENANCES AND FIXTURES THERETO ATTACHED, TO COMPLY WITH ALL LEGAL ORDINANCES OF THE TOWN, AND WITH ALL LEGAL ORDERS OF THE AUTHORIZED OFFICERS THEREOF, RELATIVE, OR IN ANY WAY PERTAINING TO THE SEWER SYSTEM, OR TO DISPENSING OR RECEIVING SERVICE THEREFROM, OR TO THE FACILITIES BY MEANS OF WHICH SUCH SERVICE IS DISPENSED OR RECEIVED, OR TO THE INSTALLATION OF ANY SUCH FACILITIES, INCLUDING THE OPENING OF ANY PUBLIC THOROUGHFARE FOR THE PURPOSE OF ANY SUCH INSTALLATION AND THE PROTECTION OF TRAFFIC ON AND ACROSS SUCH THOROUGHFARE DURING THE TIME IT IS BEING SO OPENED, OR IS OPEN, AND THE REFILLING OF ALL SUCH OPENINGS, AND TO REIMBURSE THE TOWN FOR ANY EXPENSE IT MAY INCUR BY REASON OF ANY DAMAGE TO ANY PERSON OR PROPERTY DUE TO ANY FAILURE OF THE APPLICANT SO TO COMPLY; PROVIDING FOR THE ISSUANCE OF OFFICIAL PERMITS FOR THE RECEIVING OF SEWERAGE SERVICE, OR FOR THE MAKING OF HOOK-ON ATTACHMENTS TO THE SEWER FOR THE PURPOSE OF RECEIVING SUCH SERVICE AS AFORESAID, BY THE TOWN COUNCIL, OR IN SPECIFIC CASES BY THE TOWN CLERK; PROVIDING THE FORM OF SUCH PERMITS AND DESCRIBING THE NATURE THEREOF AS NON-EXTENDABLE AS TO TIME AND NON-TRANSFERABLE, AND ESTABLISHING THE STATUS OF SUCH PERMIT AND THE APPLICATION THEREFOR AS A CONTRACT BY AND BETWEEN THE TOWN OF MILLS AND THE PERMITTEE, AND REQUIRING COMPLIANCE WITH ALL THE TERMS OF THE AGREEMENT THEREIN CONTAINED;

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TITLE (Continued)

PROVIDING AND ESTABLISHING A HOOK-ON OR INITIAL SERVICE CHARGE, AND AN APPLICATION FEE AND INITIAL INSPECTION FEE, TO BE COLLECTED FROM APPLICANTS FOR SEWERAGE SERVICE, AND PROHIBITING ISSUANCE OF ANY PERMIT FOR SUCH SERVICE UNTIL PAYMENT OF SUCH CHARGES AND FEES BY THE APPLICANT FOR SUCH PERMIT; REQUIRING THAT ALL CONNECTIONS AND HOOK-ON ATTACHMENTS SHALL BE MADE OF SUCH MATERIALS AND IN SUCH MANNER AS THE SEWER COMMISSIONER SHALL DIRECT, SHALL BE LOCATED AS DIRECTED BY THE WATER COMMISSIONER; REGULATING BY WHOM SUCH WORK MAY BE DONE; REQUIRING GREASE TRAPS TO BE MAINTAINED BY CERTAIN INDUSTRIAL ESTABLISHMENTS; REGULATING THE MANNER IN WHICH ANY PUBLIC THOROUGHFARE MAY BE OPENED UNDER SUPERVISION OF THE STREET COMMISSIONER, AND PROVIDING FOR THE PROTECTION OF TRAFFIC; ESTABLISHING RESPONSIBILITY OF THE EXCAVATOR TO CORRECT OR RESTORE ANY SINKING OR OTHER DETERIORATION FOR WHICH HE IS RESPONSIBLE FOR A PERIOD OF ONE YEAR, AND MAKING IT THE DUTY OF THE STREET COMMISSIONER TO ENFORCE THE SAME; REQUIRING THAT ALL OCCUPIED BUILDINGS WITHIN A DISTANCE OF ONE HUNDRED FIFTY (150) FEET OF THE SEWER, BE CONNECTED THERETO, EXCEPT IN THOSE CASES WHEREIN DIRECT DRAINAGE IS DIFFICULT OR IMPOSSIBLE, AND AUTHORIZING THE TOWN COUNCIL TO MAKE SUCH DISPOSAL OF SUCH CASES, AS LAST NAMED, AS IT MAY DEEM SUITABLE AND JUST; PROHIBITING CESS POOLS, SEPTIC TANKS, PRIVIES AND PRIVY VAULTS, AND THE CONSTRUCTION OF ANY OF THE SAME, EXCEPT IN THOSE SPECIFIC CASES AUTHORIZED BY THE TOWN COUNCIL, AS HEREIN PROVIDED; PROHIBITING ALL MISUSE AND DAMAGE OR INJURY TO THE SEWER OR ANY LINE THEREOF, EITHER BY DISTURBANCE OF THE SAME OR THE PLACING THEREIN OF ANY MATERIAL LIKELY TO DO HARM OF ANY KIND (ENUMERATING SUCH MATERIALS) AND THE MOLESTATION OF THE SAID SEWER, OR CONNECTION OF ANY ADDITIONAL RESIDENTIAL HOUSING FACILITY OR BUSINESS ESTABLISHMENT TO ANY PRIVATE SEWER OR DRAIN EMPTYING THEREIN, EXCEPT BY AUTHORITY OF A PERMIT THEREFOR AS HEREIN PROVIDED; AUTHORIZING THE SEWER COMMISSIONER TO ENTER PREMISES OF PERSONS RECEIVING SEWERAGE SERVICE FROM THE SEWER SYSTEM, FOR THE PURPOSE OF INSPECTING THE SAME, OR IN THE PROCESS OF DOING ANYTHING NECESSARY FOR THE ENFORCEMENT OF ANY PROVISION OF THIS ORDINANCE, AND TO ORDER THE SHUT OFF OF WATER SUPPLY FROM ANY SUCH PREMISES WHERE VIOLATION NEREOF IS FOUND TO EXIST, OR WHERE CHARGES FOR SEWERAGE SERVICE HAVE REMAINED UNPAID AND BEEN ALLOWED TO BECOME DELINQUENT, AND TO SHUT OFF AND STOP THE DISCHARGE OF ANY PRIVATE SEWER OR DRAIN FROM WHICH PROHIBITED MATERIAL IS ENTERING THE SEWER SYSTEM; PROVIDING THAT IN CASES OF VIOLATION HEREOF, THE SEWER COMMISSIONER SHALL TESTIFY CONCERNING THE SAME EITHER BEFORE THE TOWN COUNCIL OR IN MUNICIPAL COURT; PROVIDING AND ESTABLISHING A MONTHLY CHARGE FOR SEWERAGE SERVICE AND FOR THE COLLECTION OF THE SAME, PROVIDED THAT ALL SUCH CHARGES UNCOLLECTED SHALL BECOME A LEIN AGAINST THE PROPERTY OF THE DELINQUENT USER OR THE PROPERTY WHEREIN THE SERVICE IN QUESTION WAS RECEIVED; PROVIDING THAT ALL CHARGES AND FEES HEREIN ESTABLISHED SHALL BE PAID TO THE TOWN TREASURER AND PLACED IN A SPECIAL FUND, AND THAT DISBURSEMENT FROM SUCH FUND SHALL BE MADE EXCEPT FOR THE PURPOSE OF OPERATING, MAINTAINING, IMPROVING OR EXTENDING THE SEWER; AUTHORIZING THE TOWN COUNCIL TO MAKE CONTRACTS TO FURNISH SEWERAGE SERVICE INSIDE OR OUTSIDE THE CORPORATE LIMITS OF THE TOWN, PROVIDED THAT ALL FEES AND CHARGES FOR SUCH SERVICE SHALL BE STIPULATED IN ALL SUCH AGREEMENTS AND SHALL BE IN DOUBLE THE AMOUNT OF SUCH FEES AND CHARGES COLLECTED FROM PERSONS RECEIVING THE SAME SERVICE WITHIN THE SAID CORPORATE LIMITS, AND THAT ALL PERSONS RECEIVING SUCH SERVICE AS AFORESAID OUTSIDE THE SAID CORPORATE LIMITS AND NOT RECEIVING WATER FROM THE MUNICIPAL SYSTEM, SHALL BE REQUIRED TO MAKE A CASH DEPOSIT IN APPROXIMATELY THE AMOUNT OF ONE MONTH'S SERVICE CHARGE, TO GUARANTEE PAYMENT OF SUCH CHARGES; PROHIBITING THE DUMPING OF FILTH ON THE GROUND; PROVIDING FOR NOTIFICATION OF VIOLATION PRIOR TO ACTION THEREON; REQUIRING THE PLUGGING OF PIPE-ENDS DURING CONSTRUCTION OF SEWER CONNECTIONS, AND THAT SUITABLE FIXTURES SHALL BE KEPT ATTACHED THERETO FOLLOWING SUCH CONSTRUCTION; PROVIDING A PENALTY FOR ALL VIOLATORS HEREOF; PROVIDING THAT NO JUDGEMENT OF INVALIDITY OR UNCONSTITUTIONALITY SHALL AFFECT ~~ANY~~ PORTION OF THIS ORDINANCE OTHER THAN THAT AGAINST WHICH SUCH JUDGEMENT WAS RENDERED; DECLARING AN EMERGENCY TO EXIST, AND PROVIDING FOR THE IMMEDIATE EFFECTIVENESS HEREOF.

PROVIDING FOR THE OPERATION, MAINTENANCE AND REGULATION OF THE MILLS SEWER SYSTEM - -

SECTION 1.-- DEFINITION OF TERMS. That as employed herein, ~~and~~ for the purposes hereof, and excepting those cases in which a different meaning is clearly indicated by the context, the terms herein defined shall have the meaning and application herein established, and shall not be otherwise construed:

(a) "person" shall mean and include any natural person, family, organization, corporation, business firm, or any other group of persons who may lawfully act as a unit in the matter of purchasing sewerage service from the town of Mills;

(b) "user" shall mean any such person as hereinbefore defined, residing in, or operating from, one location from which sewerage service is purchased by such person from the town of Mills; provided that in the case of any such person operating or conducting a business, or businesses, at two or more separate establishments, such person shall for the purposes hereof be deemed a user in each of such separate establishments, and charges for such service furnished by the said town from each of such separate establishments shall be imposed against such person, the same as though such person were actually two separate users; and provided further that no group of persons or group of families occupying the several and separate units of any apartment house, tourist or cabin camp, trailer court, or other such multiple dwelling establishment, shall act as a unit in the matter of purchasing sewerage service from the town for the purpose of being deemed one single user of such service, nor shall the owner of any such multiple dwelling establishment as aforesaid be eligible to purchase sewerage service from more than one unit of such establishment under the terms hereinafter established for one single user, but nothing herein contained shall be construed as prohibiting such owner from purchasing from the town sewerage service from such establishment, or any part thereof, as provided in a subsequent section of this ordinance;

(c) "Mills," "town of Mills," and "the town" shall mean and refer to the town of Mills, Wyoming, and none other;

PROVIDING FOR THE OPERATION, MAINTENANCE AND REGULATION OF THE MILLS SEWER SYSTEM - - -

SECTION 1.-- DEFINITION OF TERMS (Continued)

(d) "sewer," "sewer system," "sewer line," "main line," "sewer main," and "disposal plant" shall mean the Mills sewer system or the designated part thereof, and any named part of a sewer line, and any named appurtenance to a sewer line, shall mean such part of, or such appurtenance to, the said Mills sewer line or system, or to a line or part thereof;

(e) "Sewer commissioner," shall mean the Mills Sewer commissioner, and unless otherwise specifically stated, any other officer mentioned herein shall be understood to be such officer of the said town of Mills;

(f) Any street, alley, or other location mentioned herein shall be understood to be within the town of Mills, and no such reference shall be otherwise construed;

(g) "ordinance," "town ordinance," and "law" unless otherwise indicated by the context, shall mean this ordinance (Number Ninety-nine) and if not this ordinance, the legally enacted ordinances of the said town of Mills generally, or the specified one of such ordinances.

SECTION 2.-- OPERATION OF SEWER SYSTEM. That from and after the effective date of this ordinance, the town of Mills shall operate, maintain, and regulate the disposal of sewerage service from the sanitary sewer main line and disposal plant acquired by the said town from the United States Department of the Interior Bureau of Reclamation pursuant to, and by authority of, a resolution adopted by the Town Council of the said town, on the Second day of July, 1952, and any and all additions hereafter made by the said town to the said sewer line, and any and all parts of and appurtenances to the said sewer line and to such additions thereto as aforesaid, as a municipal property and utility service; such operation and regulation to be at all times in compliance with, and subject to, all legal orders and rules of the Wyoming State Board of Public Health and other legally authorized State board, agency, or officer; ~~and~~ that the aforesaid sewer line

PROVIDING FOR THE OPERATION, MAINTENANCE AND REGULATION OF THE MILLS SEWER SYSTEM - - -

SECTION 2.-- OPERATION OF SEWER SYSTEM (Continued) and disposal plant, and any and all subsequent additions thereto as aforesaid, shall thereafter be known as the "Mills sewer system;" and that the said town of Mills shall establish and enact regulations governing all matters pertaining to the operation and/or maintenance of such sewer system and all such additions thereto, to the attachment of individual and private lines thereto, and to the dispensing of sewerage service by means of such sewer system, or any line thereof, to persons having, or who may hereafter make or acquire any such attachment to such sewer system, or to any line thereof; and it is hereby made the duty of all persons presently having, or who may hereafter make or acquire any attachment of any individual or private line to such sewer system, or to any line thereof, to comply with all the provisions herein contained, and with those of all subsequently enacted ordinances relative hereto, and any failure or refusal of any such person so to comply shall be deemed a violation hereof, punishable as provided in a subsequent section hereof.

SECTION 3.-- RESPONSIBILITY OF TOWN TO FURNISH UNINTERRUPTED SERVICE. That the town shall be responsible, and it is hereby made the duty of the town and of the officers thereof, to make all reasonable effort to furnish continuous and uninterrupted sewerage service to each and every user having a legal right to such service; provided that this section shall not apply to any user who has, by reason of non-payment of charges assessed against him, or by violation of any provision of this ordinance or of any other related ordinance, forfeited his right to the aforesaid service; provided further that the town shall not be liable to any suit for damage or other claim against the town arising from, or based upon, any unavoidable interruption of the said sewerage service, but shall make every reasonable effort to restore such service as soon as possible; and it shall be unlawful for any officer of the town to make, permit, or allow to be made, any hook-on attachment to the sewer system or to any line thereof, beyond the number of such attachments that the said sewer is estimated to properly and adequately accommodate; provided that for the purposes of this provision, the decision shall rest with the Mayor and Town Council, subject to reference to competent State authority.

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SECTION 4.-- OFFICE OF SEWER COMMISSIONER CREATED - APPOINTMENT, QUALIFICATION, TERM OF OFFICE, EX OFFICIO APPOINTMENT TO FILL VACANCY.

That there is hereby created and established the office of Sewer Commissioner in and for the town of Mills, Wyoming; that a person to hold and occupy the said office shall be appointed in such manner and for such period of time as provided in Subsection One, Section One, and in Subsection Three, Section Two, of Ordinance Number Fifty-two; shall qualify for his office as provided in Subsection Two, Section One, of the same ordinance, subject to all provisions and regulations applicable to his office therein contained, and to removal from office as provided in Subsection Eight, Section Two, and by Subsection Four, Section Three, of the same ordinance; and that he shall have the rights and authority, and shall perform such duties for the town as provided in this and other legally enacted ordinances thereof; provided that in the case of any absence of the Sewer Commissioner, or in case of incapacity of the said officer to perform his official duties, due to any cause whatsoever, it shall be the duty of the Building Inspector, upon notification of such absence or incapacity, to perform the duties of the said office in an ex officio capacity unless and until other ex officio appointment is made by the Town Council, and the office of Sewer Commissioner shall not be incompatible with the office of Water Commissioner nor with the office of Street Commissioner; and provided that the said ex officio Sewer Commissioner, whether the Building Inspector or other appointee of the Town Council, shall perform the duties of the Sewer Commissioner and shall possess and exercise the same rights and authority, and shall receive the same remuneration, as the person regularly appointed to occupy the said office.

SECTION 5.-- ^{Remuneration} ~~REMUNERATION~~ OF SEWER COMMISSIONER. That unless and until otherwise provided by ordinance of the Town Council, the Sewer Commissioner shall receive a salary of *Sixty* (\$ 60 .00) dollars per annum, to be paid in twelve equal, monthly installments of *Five* (\$ 5 .00) dollars each; such salary to be irrespective of and in addition to payment which shall be made to the said officer upon an hourly basis for time spent actually engaged in performing inspections and other official duties of

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SECTION 5.-- ^{Remuneration} ~~REMUNERATION~~ OF SEWER COMMISSIONER (Continued) the said office, at the rate ^{Established by Town Council} ~~()~~ ~~dollars per hour~~; provided that the Sewer Commissioner, whether regularly appointed or acting temporarily in an ex officio capacity, shall keep an accurate and complete written record of his time spent in the actual performance of his official duties, and shall file such record with the Town Clerk at the end of each and every calendar month, and the Town Clerk shall report to the Town Council at the next subsequent regular meeting thereof, the number of hours of labor recorded by the Sewer Commissioner, and the said report by the Town Clerk shall be the basis for computation by the Town Council of the amount of ^{remuneration} ~~remuneration~~, in addition to his regular salary, which shall be paid to the Sewer Commissioner, whether regular appointee or ex officio as aforesaid; provided further that all such payment of ^{remuneration} ~~remuneration~~ as herein provided, shall be made out of the general fund of the town, upon proper appropriation of such funds for such purpose, in the same manner as that in which other claims against the town are paid; and provided further that it shall be unlawful for the Sewer Commissioner to receive either his salary or any other ^{remuneration} ~~remuneration~~ as herein provided for performance of the duties of his office for any period of time longer than one month during which the said Sewer Commissioner was not actually performing the duties of his office; and except in the case of an assistant or deputy having been actually named and appointed by the Town Council, it shall be unlawful for the said Council to pay the salary of the Sewer Commissioner to more than one person for any period of time greater than that named.

SECTION 6.-- APPLICATION FOR SEWERAGE SERVICE REQUIRED. That from and after 30 days following the effective date of this ordinance, it shall be unlawful for any person to receive sewerage service by means of any hook-on attachment to the Mills sewer system, or to any line thereof, whether or not such hook-on attachment presently exists, except by authority of a permit issued therefor by the Town Clerk; that each and every person, as defined in Section One hereof, receiving such service as aforesaid, or desiring to make any hook-on attachment to the sewer system, or any line thereof, for the purpose of receiving such service, shall complete and sign an application as herein provided, for a

PROVIDING FOR THE OPERATION, MAINTENANCE AND REGULATION OF THE MILLS SEWER SYSTEM - - -

SECTION 6.-- APPLICATION FOR SEWERAGE SERVICE REQUIRED (Continued) permit to receive such service or to make such hook-on attachment, and shall file such application, together with a fee therefor in the sum of *One* (\$ / .00) dollars, with the Town Clerk; provided that it shall be the duty of the Town Clerk, before accepting any such application as aforesaid for filing, to inquire whether the applicant is fully informed concerning the full text of the said application, and if the applicant is not fully so informed, it shall be the duty of the Town Clerk to read the application to the applicant and to explain the same fully; and upon accepting the aforesaid application, the Town Clerk shall ascertain whether the statement thereof is to the effect that a hook-on attachment to the sewer already does exist by means of which the applicant expects to receive service, and if the said application does so state, the Town Clerk may thereupon issue and sign a permit under which the applicant shall be eligible to receive sewerage service, and may deliver the said permit immediately to the applicant; provided that a permanent record of all such permits issued shall be kept by the Town Clerk, and at every regular meeting of the Town Council, a report of all such permits issued during the preceding month shall be made by the said Town Clerk to the said Council; provided further that in those cases where no hook-on attachment to the sewer exists, by means of which the applicant may receive sewerage service, the Town Clerk shall place the application therefor before the Town Council at the next subsequent regular meeting thereof, and shall thereafter issue the said permit, or not, pursuant to the decision and order of the said Council; and the Town Clerk shall, at the foot of each and every application, processed in either manner as aforesaid, affix his certificate to the effect that the said permit was, or was not, granted, and the date of such action, and shall sign the same; provided further that, except as otherwise herein provided, the Mayor and Town Clerk are hereby authorized and directed to sign each and every permit issued hereunder and pursuant to the provisions hereof, but no application for any such permit as aforesaid

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SECTION 6.-- APPLICATION FOR SEWERAGE SERVICE REQUIRED (Continued) shall be accepted by the Town Clerk unless the said application is accompanied by a fee therefor as herein required and provided; and the said application and the permit issued pursuant thereto shall together constitute an agreement and contract by and between the town of Mills and the permittee, capable of being enforced in the same manner as that in which any other contract of similar nature, by and between private parties, if enforced; and provided further that all applications for sewerage service permits, as herein required, shall be in substantially the following form:

APPLICATION FOR SEWERAGE SERVICE PERMIT

I the undersigned, do hereby make application to the Mayor and Town Council of the town of Mills, Wyoming, for a permit under which I may be eligible to receive sewerage service by means of the sewerage system of the said town;

I do hereby state, represent and certify that to the best of my knowledge and belief, the following is a true, complete and accurate statement of facts, and that any subsequent deviation therefrom will be immediately reported by me to the Town Clerk, in writing and certified, to-wit:

Mindful of, and pursuant to, the above, I the undersigned do hereby state and represent that I am the owner (proprietor) (occupant) of premises within the town of Mills, located as hereinafter designated, and that I do have and possess full authority to assume responsibility concerning such premises as hereinafter agreed;

That the location for which sewerage service is desired is: Lot No. _____,
(is to be)
Block No. _____; upon and from which premises a private sewer (has here-
tofore been) constructed, with a hook-on attachment to the main line
located in and beneath _____ (name of street or avenue) _____,
at _____ (Fifty ft. south of intersection with 4th St.) _____;

That the type and number of facilities, both residential housing and busi-
ness establishment(s), to be accommodated by the aforesaid private sewer are:
_____ (1 dwelling) (2 - 1 grocery, 1 dwelling) _____;

That the name of the person or firm who is to do the actual work of const-
ructing my private sewer line and the hook-on attachment to the sewer main
is: _____ (self, or name of contractor) _____, whose address is:
_____ (House No., street, postoffice, state) _____; that the
unnecessary if above answer is: self

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SECTION 6.-- APPLICATION FOR SEWERAGE SERVICE REQUIRED (Continued)

approximate time that the hook-on attachment aforesaid is to be made, is

(date or time and date if possible) .

Additionally, I do hereby agree to comply with municipal regulations of the said town of Mills, as follows:

(a) That I will not open any street or alley for the purpose of sewer construction without having first notified the Street Commissioner of my intent, and that I will comply with the ordinances of the town and with all lawful orders of the said Street Commissioner and/or other authorized officer of the town with regard to such opening of any street or alley and the refilling of the same, and with regard to safe-guarding traffic on and across the said thoroughfare, and with keeping interference with such traffic as brief as possible;

(b) That I will comply with the town ordinances and with all lawful orders of the Sewer Commissioner with regard to construction of my private sewer line, any grease trap or other protective device which may be required by ordinance for my particular type of establishment, materials used in such construction, and the manner of making the hook-on attachment of such private sewer to the main line;

(c) That I will notify the Sewer Commissioner when construction of my private sewer and the hook-on attachment thereof to the main line, are complete and ready for inspection, and will not cover or otherwise conceal such construction until such inspection has been made and permission given for such covering or concealment; that I will allow the Sewer Commissioner, or other authorized officer of the town, to enter upon my premises, at any reasonable hour, for the purpose of making such inspection, or other subsequent and additional inspections, of my private sewer and/or any device, fixture or other appurtenance thereto, and will comply with all lawful orders of such officer with regard to the same concerning the manner of installation or to maintenance thereof;

(d) That I will pay the charges for sewerage service as established by ordinance, promptly upon the dates specified or as soon thereafter as possible;

(e) That I will reimburse the town for any expense it may incur by reason of damage suffered by any member of the public, due to any violation of regulation as established by ordinance, or any violation of any lawful order of the Sewer Commissioner or Street Commissioner, committed by me or by any person under my direction, or in my hire.

(Sign) _____ (applicant)

(Seal) _____ (Address) (street and No.)

(Attest) _____ (Town Clerk)

PROVIDING FOR THE OPERATION, MAINTENANCE AND REGULATION OF THE MILLS SEWER SYSTEM - - -

SECTION 6.-- APPLICATION FOR SEWERAGE SERVICE REQUIRED (Continued)

(Continuation of form of Application for Sewerage Service Permit)

I the undersigned Town Clerk of the town of Mills, Wyoming, duly qualified and acting in the above named capacity, do hereby certify that the permit for which application was hereby made, was (was not) granted by action of _____ (my office, or the Town Council) _____, upon the _____ day of _____, 19____.

(Sign) _____
Town Clerk

and it shall be the duty of the Town Clerk to see that the applicant has completed the application, as hereinabove provided, in full, including the crossing out of all inapplicable words in the places wherein a choice of words is given, and the signing of the same, and the Town Clerk shall not accept any such application which is not so completed and signed, and the Town Clerk shall attest the signature of the applicant thereon, and shall certify, at the bottom of each such application that the same was or was not granted, and the date of the said action; and it shall be his duty to make and keep a permanent file of all such applications accepted by him. And in those cases where the private sewer line already exists, together with the hook-on attachment to the main line, for the accommodation of the applicant, and the Town Clerk does, therefore, himself, issue the required permit, as hereinabove provided, it shall be his duty thereupon to notify the Sewer Commissioner of the action taken by his office, following which it shall be the duty of the said Sewer Commissioner to make his regular inspection of the premises, private sewer and all fixtures thereof and appurtenances thereto, of the permittee, as soon as may be, and to order any repair or replacement thereof or improvement in maintenance of any of the same or of any part thereof, which may be necessary in order that such facilities may comply with specifications established by ordinance and by the rules of his office; and it shall be the duty of the permittee to comply with all such orders of the said Sewer Commissioner as soon as possible; provided that for the purposes of the inspection herein required, verbal statement by the owner thereof shall be sufficient proof for the Sewer Commissioner as regards that part of any private sewer which is invisible by reason of being buried in the earth.

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SECTION 7.-- HOOK-ON AND INITIAL SERVICE CHARGES, DISPOSAL OF MONEYS. That there shall be a hook-on charge assessed against each and every person making any hook-on attachment to the Mills sewer system, or to any line thereof, in the amount of Fifteen (\$15.00) dollars; and in case a hook-on attachment to the sewer main already exists for the accommodation of any applicant, so that no such installation is subsequently necessary pursuant to the application of such person, for sewerage service, then and in that case an initial service charge shall be assessed against each such applicant whose application is approved, in the sum of Fifteen (\$15.00) dollars; and an initial service charge, or inspection fee, assessed against each subsequent occupant of any premises within which sewer service facilities already exist, shall be in the sum of One (\$ 1.00) dollar; all of which charges shall be due and payable following favorable action upon any application for a sewerage service permit, such action being taken by either the Town Council or the office of the Town Clerk as herein provided, and prior to the issuance of any such permit pursuant to such favorable action, and no such permit shall in any case, be granted without payment of the charge as herein provided; and the Town Clerk and Treasurer shall place all moneys accruing from charges as herein provided, together with all application fees collected under the provisions of a foregoing section hereof, in the town treasury, in a special fund as provided hereinafter; but if in the future the Town Clerk and the Town Treasurer should ever cease to be one and the same person, nothing herein contained shall be construed as authorizing the Town Clerk to do otherwise than convey all such moneys as aforesaid to the Town Treasurer, as required by law, receiving a receipt for the same, and it shall be the duty of the Town Treasurer to dispose and keep all such moneys as aforesaid and as provided in ^{This and other Ordinances of The Town} ~~a subsequent section of this ordinance.~~

SECTION 8;-- NATURE AND FORM OF SEWERAGE SERVICE PERMIT. That all permits for sewerage service issued hereunder shall be non-transferable and in substantially the following form:

PROVIDING FOR THE OPERATION, MAINTENANCE AND REGULATION OF THE MILLS SEWER SYSTEM - - -

SECTION 8.-- NATURE AND FORM OF SEWERAGE SERVICE PERMIT (Continued)

PERMIT FOR SEWERAGE SERVICE

IN consideration of the agreement by the permittee to comply with certain rules, regulations and conditions, as established by ordinance in and for the town of Mills, Wyoming, and payment by such permittee of the sum of Fifteen (\$15.00) dollars as a hook-on, or initial service charge, the receipt of which is hereby acknowledged, PERMISSION IS HEREBY GRANTED BY THE MAYOR AND TOWN COUNCIL OF THE SAID TOWN OF MILLS, to (name of permittee), of (house No., & street), to make and construct a hook-on attachment to the main line of the Mills sewer system, located as described in his application (Number _____) for such permission, within Sixty days following the date hereof, and this permit shall include the right and authority to open the surface of _____ street (or avenue) for such purpose as aforesaid and to temporarily obstruct traffic on and across the said street, while such construction is in progress; provided such construction and the consequent obstruction of traffic shall not be continued for any longer than strictly necessary, and shall be under the direction and supervision of the Street Commissioner, the Sewer Commissioner, or other authorized officer of the town, and nothing herein contained shall be construed as authorizing any such work as aforesaid to be done otherwise than under such supervision.

(Seal)

In witness whereof, I the undersigned, Mayor of the town of Mills, Wyoming, have hereunto subscribed my signature and caused the seal of the town of Mills to be affixed, this _____ day of _____, 19_____.

(Sign) _____
Mayor

(Attest) _____
Town Clerk

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SECTION 8.-- NATURE AND FORM OF SEWERAGE SERVICE PERMIT (Continued) and no such permit shall be construed as valid concerning any period of time extending beyond the time time stated in such permit, unless such extension of time has been granted by authority of the Sewer Commissioner and has been noted, in writing, upon the face or margin of the said permit; and every person in charge of, or actually performing the work of construction as authorized hereunder, shall have at all times in his possession his official permit therefor, and shall surrender such permit for the inspection of any authorized officer of the town who shall request the same.

SECTION 9.-- MATERIALS FOR HOOK-ON ATTACHMENT - MAINTENANCE. That all materials for each and every hook-on attachment to the sewer line shall be furnished by the user of such installation; that maintenance, repair and replacements of all private sewers shall be the responsibility and shall be at the expense of the users thereof within the property boundary of each such user, but that the maintenance of sewer lines, exclusive of those within such boundaries as aforesaid, shall be done by the town and at town expense.

SECTION 10.-- HOOK-ON ATTACHMENTS TO SEWER. That no hook-on attachment to the sewer, or to any line thereof, shall be made except by a qualified plumber, or other person capable in the opinion of the Town Council of properly performing such work; and that all such attachments shall be made of such materials and constructed in such manner as directed by the Sewer Commissioner, the ends of all pipes not immediately connected with fixtures being kept securely closed against the introduction of sand, earth, water or other material, by approved water-tight plugs, but suitable and proper fixtures shall be attached to all such pipes as soon as possible, to the satisfaction of the Sewer Commissioner.

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SECTION 10.-- HOOK-ON ATTACHMENTS TO SEWER (Continued) And that no private drain or sewer of any nature whatsoever, shall be connected with the public sewer otherwise than as directed by the Sewer Commissioner, and excepting those special cases wherein it may be otherwise ordered by the said Sewer Commissioner, no private drain or sewer shall be less than four (4) inches in diameter.

~~SECTION 11.-- SEWER LOCATED AS DIRECTED BY THE WATER COMMISSIONER. That no sewer line shall be laid parallel to any water line, less than Fifteen feet distant, and it shall be the duty of the person constructing any sewer line, private or otherwise, to ascertain the location of water lines in the vicinity, and to place the said sewer in such location with relation to the said water lines as the Water Commissioner shall direct.~~

SECTION 12.-- GREASE TRAPS REQUIRED FOR INDUSTRIES - INSPECTION. That all restaurants, garages, industrial plants and/or other establishments disposing of large quantities of grease, chemical, dirt, sand, or any other material which might interfere with the action of bacteria in the sewage disposal plant, shall have grease traps in their respective private sewer lines; provided that such grease traps shall be of a type approved by the Sewer Commissioner, and shall be maintained in proper working order and condition, so as to prevent such harmful materials as aforesaid from entering the main sewer line; that it shall be the duty of the Sewer Commissioner to inspect such grease traps as herein required at such intervals as the Town Council may direct, and shall enforce compliance with the provisions of this section; and that it shall be the duty of every user of sewerage service using such a device as aforesaid in his private sewer line, to comply with all lawful orders of the said Sewer Commissioner with regard to the same, within twenty-four (24) hours if possible, or in any case as soon as may be reasonably possible.

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SECTION 13.-- OPENING OF PUBLIC THOROUGHFARE TO BE AS DIRECTED BY STREET COMMISSIONER AND AS PROVIDED HEREIN.

That no street, alley, or other public thoroughfare shall be opened for the purpose of construction as herein provided, except under the immediate supervision, or pursuant to the specific direction of the Street Commissioner, or other authorized officer of the town; that all such opening and excavating shall be done in open trenches, no larger than absolutely necessary for the purpose at hand, and in no case by tunneling, unless by direct order of the Street Commissioner; that unless otherwise permitted by the said officer, all such openings shall be sheathed and braced to prevent caving, and it shall be unlawful for the Street Commissioner to permit the omission of such bracing unless he is certain of the rigidity of the walls of the trench and the consequent safety of such action; that all paving, ballast, and the materials used for such purposes, shall be removed with the least possible injury or loss of the same, shall, together with the excavated material from the trench, be placed where they will cause the least practicable inconvenience to the public, when replaced must be dry tamped, puddled, or both, to minimize subsequent settling of the ground or pavement; and such refilling, together with the replacement of ballast and pavement, shall be done within forty-eight (48) hours following completion of that part of the drain or sewer lying within the boundary of any public thoroughfare, such refilling and replacement shall be done in such manner as to make the street surface as hard and as smooth as it was before the excavating took place, or as nearly so as may be possible, and in any case satisfactory to the Street Commissioner; but if at anytime within one year following completion of refilling any excavation in any street, alley, or other public thoroughfare, settling of the excavation or other deterioration of the said thoroughfare takes place due to having been excavated, it shall be the duty of the person having made such excavation, to restore the said public thoroughfare to its original condition, and it shall be the duty of the Street Commissioner to enforce compliance with the provisions of this section.

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SECTION 14.-- SAFE-GUARDING TRAFFIC - RESPONSIBILITY FOR DAMAGE. That during the opening of any street, alley, or other public thoroughfare as provided in the immediately preceding section hereof, for such purpose as therein defined, the person doing such work shall interfere with traffic on and across the said thoroughfare as little and as briefly as possible, but shall safe-guard such traffic by warning signs and such obstructions and barriers as may be necessary to halt and prevent travel on or across any portion of the said thoroughfare which is opened or otherwise unsafe for travel, and no public ~~thoroughfare~~ thoroughfare shall be opened or otherwise dug or excavated without the use of such warning signs, barriers and obstructions; provided that during the hours of darkness, all such warning signs, obstructions and barriers in use as herein required, shall be properly and adequately lighted, with colored lights and otherwise, in such manner as to assure so far as possible the safety from accident of all travelers, pedestrian and other, near or across the disturbed location; and that it shall be the duty of the Street Commissioner to supervise and direct the placing of all such warning signs, obstructions, barriers and such lights upon the same as herein required; and provided further that any person doing any act whatsoever, in violation of any of the provisions hereof, or in violation of any other section of this ordinance, or of any other ordinance of the town, shall be liable for any expense incurred by the town by reason of any suit for damages arising from injury suffered by any person or inflicted upon any property, due to such violation, and shall be required to reimburse the town for any such expense.

SECTION 15.-- CONNECTION TO SEWER REQUIRED. That every building, trailer house, or other structure, any portion of which is occupied as residential housing, or as a business establishment, shall be properly connected with the public sewer as hereinbefore provided, if the said sewer is within one hundred fifty (150) feet of such building or other structure, or within such distance of the lot upon which the said structure or building is situate,

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SECTION 15.-- CONNECTION TO SEWER REQUIRED. (Continued) unless it is determined by the Sewer Commissioner that the elevation of such building, trailer house, or other structure, is such as to render direct drainage therefrom to the said sewer impossible or impracticable (such cases to be processed as hereinafter provided) and the actual work of constructing a private drain or sewer and the hook-on attachment to the public sewer, unless such facilities already exist upon and within the said premises, shall be begun within Sixty days following the completion of construction of the public sewer and notification of the occupant of such building, trailer house or other structure, by the and such work shall be prosecuted with reasonable dispatch and continuity until it is complete; Sewer Commissioner, that such facility is complete and available for use, provided that in the case of any new building or other structure, or trailer house, or the recent bringing of the same and location thereof upon premises within the purview of this ordinance, within one hundred fifty (150) feet of any available public sewer, or upon any lot which extends to within such distance of such public sewer, it shall be unlawful to occupy any such building, trailer house, or any other structure whatsoever as residential housing, or as a business establishment, except by special permission of the Sewer Commissioner, and not in any case for any period of more than Thirty days, without installation of sewerage service facilities as herein required and provided, and such facilities shall ^{be} complete and functioning, except as herein~~d~~ otherwise provided, before any such occupancy.

SECTION 16.-- ADDITIONAL FACILITIES ON PRIVATE SEWER PROHIBITED. That it shall be unlawful for any person to attach or connect any building, trailer house or other residential housing facility or business establishment, or any garage, laundry, or other auxiliary to the customary housing or dwelling establishment, in addition to those specified in his permit for sewerage service, or in the application therefor, to any private sewer which is connected to the public sewer, or to any line thereof, for the

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SECTION 16,-- ADDITIONAL FACILITIES ON PRIVATE SEWER PROHIBITED (Continued) purpose of obtaining sewerage service for such dwelling or auxiliary thereof, or such business establishment, except by authority of a permit therefor, issued as provided in Sections Six, Seven and Eight hereof; except that in those cases where such additional facility, residential housing or otherwise, is for the use or occupancy, and is used or occupied by the owner or proprietor of the private sewer to which such facility is to be connected, or attached, the fee for the permit therefor as herein required, shall be only an inspection fee and in the sum of *One* (\$ *1.00*) dollars, ~~instead of the usual~~; and that except as herein otherwise provided, it shall be unlawful for any person having a private sewer or drain connected with, or attached to, the public sewer or any line thereof, to permit the construction of any additional connection or attachment thereto, except by authority of a permit therefor as herein required and provided.

SECTION 17.-- INJURY, DAMAGE AND/OR MISUSE OF SEWER PROHIBITED. That it shall be unlawful for any person to use the sewer or any line or part or portion thereof, or any manhole or other appurtenance thereto, for any other than the intended purpose thereof; or to injure, damage, break, disturb, molest, alter, or remove any part, portion, or appliance of the sewer, or any appurtenance thereto; or to dump, pour, place, or deposit in the sewer of any line thereof, *any explosive or combustible material, or* any oil, grease, chemical, dirt, sand, wood, stone, straw, rags, dead animal, butcher's offal, garbage, or any other matter or thing whatsoever, other than ordinary liquid, household slops, human excrement, and paper of no more than tissue thickness ordinarily used in a bathroom, which might be harmful to the sewer or to the bacterial action within the sewage disposal plant, or which might interfere with, or obstruct, the flow of sewage, or to do any act which might cause or permit any such harmful materials, or any one of them, to enter the sewer, or to do any act, or to cause or permit any act which might in any manner stop or obstruct the action of the sewer, or the flow of sewage within the same; except that the Sewer Commissioner shall have authority to stop the flow of sewage from any private sewer or drain through

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SECTION 17.-- INJURY, DAMAGE AND/OR MISUSE OF SEWER PROHIBITED (Continued) which any of the aforesaid, or any other damaging material is entering the sewer, either continually or continuously, in such quantity as to damage the same or the action or flow thereof.

SECTION 18.-- AUTHORITY OF SEWER COMMISSIONER IN ENFORCEMENT. That the Sewer Commissioner shall have the right and authority, for the purpose of making any inspection required by this or any other or subsequently enacted lawful ordinance of the town, or for the purpose of carrying into effect or enforcing ~~the~~ any provision of this or any other such ordinance, to enter upon the premises of any user, at any reasonable hour, presuming that unless an emergency exists such entry shall be during the hours of daylight and during a week day; provided that any person who shall without good and sufficient reason, arbitrarily and persistently refuse admittance to the Sewer Commissioner, to the premises of such person or to any part thereof, for such purposes as aforesaid, or any such purpose, shall be deemed guilty of resisting an officer of the town in the performance of his duty, as prohibited by Section Eleven of Ordinance Number Sixty-four, which offense is therein defined as a misdemeanor, punishable as provided in the same section. And that upon discovery by the Sewer Commissioner or other authorized officer of the town, of any violation of any provision of this ordinance, but especially any violation of the preceding section hereof, it shall be the duty of the said officer to sign a sworn complaint against the person responsible for such violation, and ~~shall~~ ^{to} file such complaint in municipal court, and to subsequently testify in court against such person, stating the nature and magnitude of the offense; provided that at his own discretion, and upon his being convinced that such milder action will prove sufficient for correction, the said officer may simply order the discontinuance of the said violation, or may order such discontinuance, at the same time reporting the matter to the Water Department and ordering the Water Commissioner to shut off and stop the supply of water to the premises wherein

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SECTION 18.-- AUTHORITY OF SEWER COMMISSIONER IN ENFORCEMENT (Continued) violation exists or has taken place, and in the latter case it shall be the duty of the Water Commissioner to comply with the order of the Sewer Commissioner, and to keep the supply of water to such premises so stopped and shut off until proper steps taken by the violator have assured the Sewer Commissioner that no further violation will be committed, and in any case of water shut off due to violation as herein provided, the said Water Commissioner shall not again turn on the said water supply to such premises, nor suffer the same to be done, except upon payment by the violator of the regular fee for such turn on, as established by Section Five of Ordinance Number Sixty-three, or otherwise, by town ordinance; provided further that when necessary and when compliance with the preceding section hereof cannot be otherwise obtained, or enforced, the Sewer Commissioner shall have authority to disconnect and break loose from the public sewer, any private sewer line or drain from which any of the enumerated, or any other, harmful or damaging thing, substance or material is being discharged, either continually or continuously, into the sewer, and the owner or proprietor of such private line shall not be entitled to construct any new attachment to the sewer system, nor be eligible for any permit for such construction, until the conditions under which his violation was committed have been remedied or eradicated to the satisfaction of the Municipal Court and the Sewer Commissioner, and all expense due to damage to the sewer through his violation and the subsequent breakage hereby authorized has been paid in full, together with all regular fees for issuance ~~of~~ of a new permit under which to receive sewerage service, for regular inspection by the Sewer Commissioner and for water turn on; and such breakage as herein authorized shall be in addition to the shut off of water and the signed complaint filed in municipal court hereinbefore provided.

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SECTION 19.-- MONTHLY CHARGES FOR SEWERAGE SERVICE. That charges for sewerage service shall be imposed, or assessed, against each and every user of such service, on or about the First of each and every calendar month, for such service received during the month next preceding, and that all such charges shall be based upon the quantity of water consumed by each such user within such preceding month, at the rate of three dollars fifty (\$3.50) cents per month, which sum shall be the minimum payment for any amount of sewerage service, and shall be considered as payment in full for such service for one month, by those users consuming not more than one thousand (1,000) gallons of water during such month; but all users who have consumed more than the said quantity of water each, shall be charged for additional sewerage service at the rate of ten (\$.10) cents per one thousand (1,000) gallons of all water consumed by each such user over and above the said first one thousand (1,000) gallons; provided that during those months when the relationship between water consumed and sewerage service used is unbalanced by reason of large quantities of water being consumed by householders for irrigation purposes, and during any period when for any reason the water consumed by any user, or users, cannot be, or is not accurately measured by meter, charges for sewerage service shall be based upon an average of the quantity of water consumed by each such user during the three months next preceding the irrigation season, or preceding the period during which metering of water consumption is lacking; provided further that for the purposes hereof the aforesaid irrigation season shall consist of the months of May, June, July, August and September, in each and every year, as established in Section Twelve of Ordinance Number Sixty-three; and be it further provided that in the case of sewerage service furnished by the town of Mills to any user for any establishment located outside the corporate limits of the town, all charges as established herein and by Sections Six, Seven and Eight hereof, or otherwise, for users of such service within the said limits, shall be charged against all such users outside the said limits, in exactly double the sum herein established.

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SECTION 20.-- BILLS FOR SEWERAGE SERVICE - DUE - PAYABLE - COLLECTION THEREOF. That all charges for sewerage service, as established herein and otherwise by ordinance of the Town Council, shall become due and payable upon the First of each and every calendar month, unless otherwise provided, and unless paid before the issuance of bills for water rental service, may be included in such bills; provided that all such bills shall be itemized so as to clearly show the portion thereof which is for water rental service and ~~the~~ the separate sum charged for sewerage service; and any user failing for a period of Fifteen days (15) following the issuance to him of a bill as aforesaid, to make full payment of the same, shall be deemed in default of such payment; and upon official notice of such delinquency shall be entitled to an additional period of not more than Fifteen (15) days during which to make payment; at the expiration of which time, the Sewer Commissioner shall notify the Water Commissioner to shut off and stop the supply of water from all premises within the town occupied by such defaulter, and to keep the said supply so stopped and shut off until all charges and costs assessed against such defaulter have been paid in full, including ^{a penalty charge in the sum of 10% of the amount of the delinquent charges & including} the fee of One (\$1.00) dollar, as established in Ordinance Number Sixty-three, Section Five, for water turn on; provided that no Water Commissioner or other officer of the town shall turn on the water supply, or permit or suffer the same to be done, for the accommodation of any such delinquent user, unless in the case of dire emergency, until all charges, fees and costs assessed against such user, as herein and otherwise provided by ordinance, shall have been paid in full; provided that the official notice of delinquency, herein provided, shall be in writing and either sent by mail to the aforesaid defaulter, or delivered to him personally or to a responsible member of his immediate family, by an authorized officer of the town, and that the Town Treasurer, Marshal, Sewer or Water Commissioner, and all elected officers of the town shall be deemed to be so authorized; and provided further that any person whose water supply has been discontinued because of default of payment therefor, as herein provided, shall be

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SECTION 20.-- BILLS FOR SEWERAGE SERVICE - DUE - PAYABLE - COLLECTION THEREOF (Continued)
and shall continue, ineligible for any resumption of the said service, either for himself or for any tenant who may subsequently occupy any premises wherein the water supply has been shut off as herein provided, until all charges, fees and other costs assessed against such person by the town, are paid in full.

SECTION 21.-- PERSONS REMOVING FROM TOWN DEEMED IN DEFAULT - LANDLORD RESPONSIBLE - UNPAID CHARGES TO BECOME LIEN AGAINST PROPERTY.

That any person who shall remove, or who shall attempt or prepare to remove, from the town of Mills without having made payment in full of all charges held against him by the town, for sewerage service, as herein provided, shall be deemed a defaulter to the town in the amount of such charges, and shall be subject to such legal action as the Mayor and Town Council may deem proper or

In addition to all penalties and other charges involved, including reasonable attorney's fees
necessary for the collection of such charges; provided that the amount of such charges, together with any unpaid charges for water rental service, if uncollected, shall become a lien against any real property owned within the town by such defaulter, or against the property which was the residence of such defaulter within the said town, and in the latter case, as in the former, the owner of such property shall be liable and held responsible for payment of all such uncollected charges, which same shall be collected thereupon as provided by law.

SECTION 22.-- ALL CHARGES PAYABLE TO TOWN TREASURER - SPECIAL FUND - DISBURSEMENTS TO BE MADE THEREFROM FOR SEWER MAINTENANCE OR EXTENSION ONLY.

That all charges herein or otherwise provided by ordinance, for sewerage service, application fees, hook-on and initial service charges, or other charges directly appertaining to the sewer system or service received therefrom, shall be payable ~~to~~ to the Town Treasurer, at his office, and that it shall be the duty of the said Treasurer to receive such payments and to

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SECTION 22.-- ALL CHARGES PAYABLE TO TOWN TREASURER - SPECIAL FUND - DISBURSEMENTS TO BE MADE THEREFROM FOR SEWER MAINTENANCE OR EXTENSION ONLY (Continued)

place and keep all moneys accruing therefrom in a special fund to be known as "The Sewer ~~Maintenance~~ Fund," to be kept fully segregated from all other moneys of the the Treasury, including those *and shall be disposed and disbursed as established by Ordinance* paid for water rental charges; and the Town Treasurer shall not make any disbursement from the said special fund, nor suffer any withdrawal to be made therefrom, nor shall any other officer of the town make any such disbursement or withdrawal from such fund, except as appropriated by the Town Council, for the purpose of operating, maintaining, improving, repairing, replacing or extending the sewer system, or a part or portion thereof, or an appurtenance thereto, *or for the purpose of making payment on the bonded indebtedness against the Municipal sewerage system, or the interest thereon.*

SECTION 23.-- CONTRACTS FOR SEWERAGE SERVICE OUTSIDE, OR WITHIN, THE CORPORATE LIMITS.

That the Town Council shall have authority to make and enter into contracts with persons, as defined in Section One hereof, to furnish sewerage service to such persons for their establishments outside, or within, the corporate limits of the town, provided that no such contract shall be made except with persons who shall agree to comply in all respects with all applicable provisions of this ordinance, and who shall agree to furnish all equipment by means of which to receive the aforesaid service, complying with the orders of the Sewer Commissioner as to materials and details of such equipment; provided that all users who receive sewerage service by such contract as herein provided and who do not use water from the municipal water system, shall be required to pay a deposit to the Town Treasurer, in the sum of approximately one month's charge for such service, such deposit to be held by the said Treasurer as a guarantee of payment for sewerage service, and to be returned to the person making the same upon his discontinuance of use of the said service; and provided further that no contract as herein authorized shall be made which may hinder or prevent the furnishing of adequate sewerage service to any resident of the town who may desire such service and who could otherwise reasonably and practically be furnished with the same, but nothing herein contained shall be construed as requiring the breaking of any such contract

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SECTION 23.-- CONTRACTS FOR SEWERAGE SERVICE OUTSIDE, OR WITHIN, THE CORPORATE LIMITS
(Continued)

presently existing; and provided further that such contracts as herein provided, if not entered into in writing, shall be made verbally at an official meeting of the Town Council, and the terms thereof shall be specifically entered upon the journal of the said Council as a part of the record of the said meeting; and that in either case, all such contracts shall clearly state the amount of the charges to be paid for such service, the hook-on or initial service charge, application fee, and monthly service charge, all of which shall comply with provisions herein contained, and the amount of any other charge provided by ordinance of the Town Council, or otherwise agreed to be paid.

SECTION 24.-- APPEAL TO SEWER COMMISSIONER AND TOWN COUNCIL IN CASES OF DIFFICULT DRAINAGE.

That it shall be the duty of each and every person, being the owner or proprietor of any lot, any part of which extends to within one hundred fifty (150) feet of any line of the public sewer, and if there is situated upon such lot any building or other structure of any kind whatever, any part of which is occupied, either as a human habitation, a business establishment, or otherwise, to comply with Section Fifteen hereof regarding installation of a private sewer or drain for the accommodation of the occupants of such building or other structure, and to connect or attach such private drain or sewer to the public sewer, beginning and continuing with such work to its completion as in the said section required; and in the case of difficulty in establishing drainage from ~~such~~^{any} premises by means of such private sewer or drain and direct connection thereof to the main line, it shall be the duty of such owner or proprietor to make a reasonable effort to overcome such difficulty and to comply with the said section; but if it appears to such person as aforesaid that the difficulty in drainage is too great to be overcome without undue effort and/or expense, it shall be his duty to bring his problem to the attention of the Sewer Commissioner, and it shall thereupon be the duty of the said officer to make a thorough and complete inspection of the premises in question, as soon as convenient, or in any case within ten (10) days, and to make such recommendations as may seem practical

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SECTION 24.-- APPEAL TO SEWER COMMISSIONER AND TOWN COUNCIL IN CASES OF DIFFICULT DRAINAGE (Continued)

and just concerning construction of a private sewer, or such substitute therefor as may be necessary, and it shall be the duty of the said owner or proprietor of such premises, to comply with such recommendation of the Sewer Commissioner; but if ~~if~~ such recommendation seem unjust or impractical to such owner or proprietor, he shall have the right, within ten (10) days following the issuance to him of the same, to appeal his case to the Town Council by filing in the office of the Town Clerk a written request for a hearing by the said Council, and the said Town Council shall grant such hearing within ten (10) days following the filing of the request for the same, holding a special meeting for such purpose if necessary; provided that it shall be the duty of the Town Clerk to notify the appellant of the date of such hearing by the said Council, at least five (5) days prior to any such hearing; and it shall be the duty of the Sewer Commissioner to be present at all such hearings and to furnish the said Council with all possible information with regard to the case in question; and the said Council shall hear all such testimony by the Sewer Commissioner and shall hear the claim of the appellant, and shall thereupon make such order concerning each individual case as may be reasonable and just; and the said Council shall have complete authority to enforce such order; provided that a complete record of all such hearings, including the testimony heard and the disposal of the case, shall be entered upon the journal of the said Council, but the Council shall in all such cases, establish ^{the} a period of time to be allowed the appellant for the beginning and the completion of any required construction; provided that any deviation from absolute compliance with the said Section Fifteen hereof which may be permitted by the Sewer Commissioner or the Town Council pursuant hereto, shall be ⁱⁿ compliance with the next subsequent section hereof and other subsequently enacted ordinances of the town, and all such deviations permitted by the Sewer Commissioner shall be referred to the Town Council, at the next subsequent regular meeting thereof, for approval.

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SECTION 25.-- PROHIBITING CESS POOLS, SEPTIC TANKS, PRIVIES AND PRIVY VAULTS, EXCEPT IN SPECIFIC CASES.

That from and after ~~_____ days following the effective~~ date of this ordinance, and except as hereinabove and otherwise provided by ordinance, it shall be unlawful for any person to keep, maintain, or continue in use, any septic tank, cess pool, privy vault or privy, from and after Ninety (90) days following completion of construction of available public sewerage facilities within one hundred fifty (150) feet of the premises, or any part of the premises, of such person; and all such filthy facilities and devices as aforesaid are hereby declared to menace the public health and safety, and to be public nuisances, the existence of which is contrary to the best interests of the town and of the inhabitants thereof; and except as otherwise provided as aforesaid, it shall be the duty of each and every person, being the owner or proprietor of any such facility, to remove, destroy and/or fill in the same, removing such filth as may be best disposed of in that manner and covering the remainder thereof with earth, and leveling the same, so that no unsanitary or unsightly condition remains at the site of such facility; provided that no person shall deem himself immune from the provisions of this section, by reason of distance from the public sewer or otherwise, but shall consult the Sewer Commissioner concerning such immunity, if the same is supposed to exist, and if the said officer shall judge that such immunity does actually and in fact exist, he shall issue a written permit to such person authorizing the continued use of such facility as seems permissible, and/or ordering such alteration or improvement thereof as he may deem necessary in order to comply with decent standards of sanitation and health, and it shall be the duty of the owner or proprietor of any premises concerning which such permit is issued, to comply with all legal orders of the Sewer Commissioner relative to any such alteration and/or improvement; provided that all such permits and accompanying orders for alteration or improvement, shall be subject to reference to the Town Council, and the said Council shall have the power and authority to rescind or

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SECTION 25.-- PROHIBITING CESS POOLS, SEPTIC TANKS, PRIVIES AND PRIVY VAULTS, EXCEPT IN SPECIFIC CASES (Continued)

revoke any such permit or order or to make any such amendment to either or both as may appear desirable or necessary following due investigation and consideration, and the same authority shall apply to any such action by the said Council taken with regard to any permit issued pursuant to the provisions of the next preceding section hereof; provided that in either case the action shall appear desirable or necessary for the purpose of safeguarding the sanitation or health of the town or its inhabitants; provided further that no permit issued hereunder for continued use of any such facility as aforesaid shall be issued for any period of time greater than one year, and at the expiration of such time it shall be the duty of the person holding such permit to apply for a renewal of the same, and if at any renewal date for any such permit, it shall appear to the Sewer Commissioner or to the Town Council that conditions have altered sufficiently to terminate the immunity to the provisions of this ordinance, no renewal of the said permit shall be issued, but the applicant therefor shall be ordered instead to comply with the provisions of law.

SECTION 26.-- CONSTRUCTION OF CESS POOLS, SEPTIC TANKS, PRIVIES AND PRIVY VAULTS. PROHIBITED.

That it shall be unlawful for any person to make, build or construct any septic tank, cess pool, privy or privy vault, except by authority of a permit for such construction, issued by the Sewer Commissioner, in writing, and pursuant to the provisions of this or a subsequently enacted ordinance of the town; and it shall be unlawful in any case to build or construct any such facility as aforesaid within Ten (10) feet of the boundary line of any street or avenue, or the boundary line of any adjacent property, or within sixty (60) feet of any well, or any window or door of any occupied building on adjacent premises; and any person building or constructing any such facility as aforesaid shall file a record of such construction in the office of the Town Clerk, stating therein the block and lot numbers and the location thereon of his construction, together with a description of ^{such} ~~the~~ construction, and his statement that he is in possession of an official permit for the same; and after one year following issuance of such permit, it shall be deemed to have expired, and the holder thereof shall apply for a renewal thereof, as hereinbefore provided.

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SECTION 27.-- PROHIBITING DUMPING OF FILTH ON THE GROUND. That all garbage, trash, offal, and all waste and refuse matter of all kinds shall be disposed of as herein and in Ordinances Number Fifty-nine, Eighty-seven, and otherwise provided by ordinance, and it shall be unlawful for any person to throw, pour, dump, scatter, or otherwise place upon the ground, any water which has been used for domestic or household purposes, or any human excrement, or any liquid or solid filth of any nature or kind whatever, at any place within the town of Mills, whether within the boundaries of any street, alley, private lot, or in any other location, either public or private; and any person committing any such act shall be deemed to have violated the terms of this section and shall be penalized as hereinafter provided.

SECTION 28.-- RIGHT OF NOTIFICATION OF VIOLATION. That in all cases wherein violation of this ordinance consists of a condition or practice maintained, tolerated or suffered to exist, rather than any specific act committed, contrary to the provisions hereof, it shall be the duty of the Town Marshal, the Sewer Commissioner, or some elected officer of the town, to notify the person responsible for such practice or condition, ordering the correction and discontinuance of the same, and after seven (7) days (unless a different period is specified by the officer issuing such order) which shall be allowed for correction, every Three (3) days ~~and~~ following such notification and time allowance as aforesaid, that such condition or practice is continued, maintained, or permitted to exist, shall constitute a distinct and separate offense hereunder; provided that the notification herein provided may be either written or verbal, if delivered to the violator in person, but must otherwise be written and mailed to the said violator or delivered to a responsible member of his immediate family; and that upon the filing of notice that any case is being referred to the Town Council for decision, all penalties otherwise to be imposed, shall be suspended pending the decision of the said Council, which body shall as a part of its official action specify the time to be allowed any appellant for compliance herewith or with the order of the said Council; and provided further that this section shall not

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SECTION 28.-- RIGHT OF NOTIFICATION OF VIOLATION (Continued) apply to any extreme case wherein the health, safety, or welfare of the town, ~~of~~ or of the inhabitants thereof, is being endangered by the existence of the violation, but all such cases, or any one of the same, shall be dealt with in whatever lawful manner the Sewer Commissioner and the Town Council may deem necessary or desirable for the protection of the town and its said inhabitants, with regard to the health, safety and welfare thereof.

SECTION 29.-- PENALTY FOR VIOLATION HEREOF. That any person doing or committing any act in violation of the provisions of any section hereof, or in violation of any one of such provisions, or who shall conceal or attempt to conceal any such act committed by any other person, or who shall conceal or attempt to conceal any condition hereinabove prohibited, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum of not more than One Hundred (\$100.00) dollars, nor less than Five (\$5.00) dollars, for each and every such offense.

SECTION 30.-- CONSTITUTIONALITY CLAUSE. That if any section, paragraph, sentence, clause or phrase of this ordinance is, for any reason, adjudged invalid, unconstitutional, or in violation of the statutes of the state of Wyoming, by any court of competent jurisdiction, such judgement shall not invalidate, impair, or affect the remainder of this ordinance, nor any part thereof, but shall be confined in its operation to the phrase, clause, sentence, paragraph, or section, directly involved in the controversy in which such judgement was rendered.

SECTION 31.-- EMERGENCY DECLARED - ORDINANCE TO BE IMMEDIATELY EFFECTIVE. That due to an emergency deemed by the Town Council to exist, and hereby declared as such; and the fact that the welfare of the town of Mills requires the immediate effectiveness of this ordinance; this ordinance shall take effect and become in force immediately upon its enactment by the Town Council; provided however that the usual publishing of the same

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SECTION 31.-- EMERGENCY DECLARED - ORDINANCE TO BE IMMEDIATELY EFFECTIVE (Continued)

in accordance with law, shall not be omitted, but shall subsequently be done by the Town Clerk, by means of posting this ordinance up in three public places within the town of Mills, as required by Wyoming state law.

Approved and passed, this Fifth day of February, A.D. 1953.

(Seal)

(Sign) W. W. Lapp
Mayor

(Attest) Marianne Spencer
Town Clerk

I, the undersigned, Town Clerk of the town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance Number Ninety-nine, entitled: "Providing for the Operation, ~~Maint~~ Maintenance and Regulation of the Mills Sewer System, etc., - - -" approved and passed ~~as~~ by the Town Council of the said town of Mills, at a regular meeting thereof, held on the fifth day of February, A.D. 1953, and that the ayes and nays were taken and entered upon the journal of the said Town Council.

(Sign) Marianne Spencer
Town Clerk

I the undersigned, regularly appointed and qualified Town Clerk of the town of Mills, Wyoming, and acting in that capacity, do hereby state and certify that this ordinance (No. Ninety-nine) approved and passed as certified above, did take effect and become in force as a legal ordinance of the said town, immediately upon its enactment as stated, but that this ordinance was nevertheless, by me, subsequently posted up in three public places within the town of Mills for a period of ten days, and that the copies hereof which were so posted were signed, attested, sealed and certified, as required by law.

(Sign) Marianne Spencer
Town Clerk