

Title 13

PUBLIC SERVICES

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Chapter 13.04

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ARTICLE I. GENERALLY

13.04.010 Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Administrative official" means the water-sewer superintendent.

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

"Water utility" means all water and water rights, waterworks and appurtenances thereto, machinery, equipment and supplies used by the municipality to supply consumers with water; provided, that the water service line from the meter riser or curb stop to the structure or property served shall be regarded the property of the owner of such structure or property served. (Prior code §26-1)

13.04.020 Reservation of rights by town. The use of water under the provisions of this chapter shall not constitute or be deemed to be a relinquishment of any water or water right by the town and the town reserves the full right to determine all matters in connection with the control and use of such water. (Prior code §26-2)

13.04.030 Promulgation of rules and regulations. The governing body may, from time to time, promulgate such rules and regulations as they consider necessary to carry out the intent of this chapter; provided, that such rules and regulations are not inconsistent with this chapter. (Prior code §26-3)

13.04.040 Agreement to rules and regulations prerequisite to commencement of service. No person may be served with water from the water utility unless he agrees to all the rules and regulations of the town pertaining to the use of such water. (Prior code §26-4)

13.04.050 Records and reports. The administrative official shall keep such records and prepare such reports concerning the water utility as the governing body directs. The administrative official shall keep the governing body advised of the operations, financial conditions and future needs of the water utility and shall prepare and submit to the governing body, each month, a report covering the activities of the water utility, including a statement of revenues and expenditures of the preceding month. (Prior code §26-5)

13.04.060 Fire hydrants--Repair and testing. All fire hydrants shall be a part of the water utility and shall be kept in repair by the administrative official or his authorized agents. Every hydrant shall be tested at least once annually. (Prior code §26-6)

13.04.070 Fire hydrants--Opening or operating. No person, other than a member of the fire department, shall open or operate any fire hydrant without permission from the administrative official. (Prior code §26-7)

13.04.080 Damaging property and equipment. No person shall in any way damage any property, equipment or appliance constituting or being a part of the water utility. (Prior code §26-8)

13.04.090 Water utility property--Trespassing or interference. No person shall trespass upon the property of the water utility or tap any water mains or make any connections therewith or in any manner interfere with the water utility or the property, equipment, pipes, valves or any other appliances of the water utility or change or alter the position of any valve or appliance regulating the flow of water in any pipeline. (Prior code §26-9)

13.04.100 Pollution and obstruction of water flow. No person shall cast, place, dump or deposit in any part of the water utility, any substance or material which will in any manner, injure or obstruct the same or any material or substance that would tend to contaminate or pollute the water or obstruct the flow of water. (Prior code §26-10)

13.04.110 Use restrictions. A. Lawn Sprinkling. The use of water from the water utility for lawn sprinkling purposes may be prohibited or restricted by order of the administrative official. Except as provided in subsection B of this section, the order shall be effective when notice thereof is published once in a daily newspaper of general circulation within the town. Upon the publication of the notice, the sprinkling restrictions or prohibitions so prescribed shall take effect and any violator thereof shall be punished as provided in Section 1.16.010.

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

C. Use in Commercial Agriculture. The use of water from the water utility for commercial agriculture purposes is prohibited.

D. Use on Property Not Connection to Utility. No person having water service shall permit any other person to take or use water from his water service for use on property not connected to municipal water utility.

E. Cross-Connections Between Water Utility and Private Well Line. No person shall have a cross-connection between a private line carrying well water and a line carrying water from the water utility. (Prior code §26-11)

13.04.120 Discontinuance of service--Failure to comply with regulations. If any water user fails to comply with the provisions of this chapter, other ordinances or rules and regulations of the town or the rules and regulations of the superintendent or uses water for a purpose not authorized or in a wasteful manner, the town may discontinue water service until the water user is in compliance and had paid a turn-off fee of two dollars. (Prior code §26-12)

13.04.130 Discontinuance of service--Failure to pay charges. A. The town will discontinue water service to any person, persons, corporation, partnership or other user for nonpayment of his or its water bill if not paid by eight a.m. on the twenty-fifth day of each month. Should the twenty-fifth day of the month fall on a holiday or weekend, the account must be paid in full by eight a.m. on the next business day.

B. Interest of two percent will be added to each unpaid balance each month during the next billing process.

C. If the service has been discontinued it may be reinstated once all obligations are paid in full and an eighty dollar deposit is once again established with the town. If the service has been discontinued and the account remains unpaid for two consecutive months the town will begin legal means of collection.

D. The owner of a property may be held responsible for water delivered to or taken from his property as set forth in Section 13.04.540. (Ord. 221 (part), 2004; Ord. 154, 1993: prior code §26-13)

13.04.140 Extension outside corporate limits--Prohibited--Annexation required. No new out-of-town water service will be established to serve any property lying outside the town limits, effective 9/9/97. Any property lying outside the town limits and requesting town water service will be required to annex into the town corporate limits as a condition for consideration of approval for water service. (Ord. 182, 1997: prior code §26-14)

ARTICLE II. CONNECTIONS

13.04.160 Only town employees allowed to turn on water--Exception. No person, other than a duly employed person of the town shall turn on water to any premises, lot, building or house when the water has been shut off under the provisions of this chapter; provided, that this section shall not be construed to prevent any plumber from admitting water to test pipes or restoring service after repairs. (Prior code §26-16)

13.04.170 Unauthorized taps--Compliance with permit--Costs. A. It is unlawful for any person not authorized by the administrative official to tap or connect to any part of the water utility.

B. All taps or connections shall be made in accordance with the terms and conditions of the permit issued therefor.

C. All taps or connections to any part of the water utility shall be made at the expense of the person making such tap or connection. (Prior code §26-17)

13.04.180 Permit--Required. Any person desiring to make a connection to the water utility or to use water therefrom, shall make written application to the administrative official for a permit to do so and shall not make such connection without such permit. (Prior code §26-18)

13.04.190 Permit--Types issued. There shall be four types of permits to make connections with the water utility of the municipality:

A. A permit for the purpose of connecting a water service line from a main of the water utility to the property to be served, for the purposes of taking and using

water for normal municipal purposes; that is, domestic, commercial or industrial.

B. A permit to connect an enlarged tap to the water utility for the purpose of taking and using water for normal municipal purposes; that is, domestic, commercial or industrial.

C. A permit to take or use water from the water utility of the municipality to serve property situate outside the municipality. This permit shall be issued only with the express consent of the governing body and under such terms and conditions as the governing body shall provide by resolution.

D. A permit to install a frostproof vault, riser and necessary appurtenances. (Prior code §26-19)

13.04.200 Permit--Application. The application for a permit to make connections to the water utility shall state the name of the person to whom the permit is to be issued, the size of the tap, corporation cock and water service line, the location thereof, the premises upon which water is to be used and the purpose for which the water is to be used. (Prior code §26-20)

13.04.210 Permit--Issuance and contents. Permits required by Section 13.04.180 shall be issued by the administrative official and shall state the name of the person to whom the permit is issued, the date of the permit, the size of the tap, corporation cock and water service line, the premises upon which the water is to be used and the purpose for which the water is to be used. (Prior code §26-21)

13.04.219 Water taps--Specifications, placement. All water taps completed from March 9, 2004 forward will be set up per the attached standard drawing #1 and adhere to the following rules. The connection will be made, a curb stop installed and a water meter set. The water meter will be located at the closest point from the tap as possible, on the property to be served. The meter will be set within one foot of the property edge, unless extenuating circumstances exist. It will be the responsibility of the property owner to accurately identify the property edge. Once the tap is made and meter is set, the town water

map will be updated with tap location and size. (Ord. 220 (part), 2004)

13.04.220 Water taps--Costs. A. The following are the costs for water taps being made between April 1st and November 30th for the town water system:

1. The cost for a three-quarters inch water tap is one thousand five hundred dollars.

2. The cost for a one inch water tap is one thousand nine hundred dollars.

3. The cost for a two inch or larger water tap will be negotiated between the town council and the applicant according to the existing conditions at the time of the request for the tap and taking into consideration the ability of the town water system to furnish the water required.

B. The costs for water taps being made between December 1st and March 31st for the town water system will be fifty percent bigger than those costs established in subsection A of this section.

C. The cost for a water tap for multiple units, whether residential or commercial, shall be the basic tap fee, as above set forth in subsections A and B, for the first unit and an additional twenty percent of the basic tap fee for each additional unit. "Multiple units", as used in this section, shall include an apartment complex, motel, hotel, mobilehome court, which is defined as two or more trailer spaces under single ownership and contiguous to each other, and other related establishments.

D. The tap fee shall include the tapping saddle, corporation stop, curb stop, service line from the point of tap up to the property line, within a reasonable distance, the water meter, water meter pit and dual check valve. The tap fee must be paid in full or satisfactory arrangements shall have been made for the payment of the tap fee prior to the beginning of construction and installation of the tap.

E. The town will conduct the excavation and backfill from the main to the property line, perform the actual tapping of the main and installation of the meter pit and meter.

F. The property owner is responsible for installation of the service line from the meter onto the property.

(Ord. 220 (part), 2004; Ord. 215, 2003: Ord. 162, 1993: Ord. 155, 1993; Ord. dated 6/8/82: prior code §26-22)

13.04.221 Water meters--Correctional placement. At the town's discretion, the town will at its expense relocate existing water meters to the property edge to come into compliance with Chapter 13, Article II: Connections. If a service line has to be dug up for repair or replacement, the meter will be moved to the property edge. (Ord. 220 (part), 2004)

13.04.230 Inspection and approval. All plumbing shall be subject to inspection by the administrative official or his authorized representatives in order to ascertain whether the requirements of this chapter have been or are being complied with. It is unlawful for any person to cause any plumbing within or outside the town limits to be connected with the water utility of the town until such plumbing shall have been connected and approved. (Prior code §26-23)

ARTICLE III. SERVICE LINES

13.04.240 Installation--Written permission required.
A. No person other than a plumber licensed by the municipality or a person authorized by the administrative official, shall install a water service line, including a meter vault and a meter riser.

B. No service lines shall be installed without having first obtained written permission from the town. (Prior code §26-24)

13.04.250 Installation--Authority. All connections to the water shall be made by town employees or such other person as may be specifically authorized by the town to make such connection. Any unauthorized connection may be removed by the town and the property owner shall bear the expense of such removal. Town employees shall make the actual connection to the main and extend the service line to the owner's property line at town expense. The property owner shall install all service lines on his property at his own expense, and such installation shall meet town specifications. The town water-sewer superintendent shall inspect all such connections on private property before the excavation may be filled. (Prior code §26-25)

13.04.260 Installation required prior to paving streets. Before any street containing a water line is paved, the owners of the property abutting upon the street shall, at their expense, install all service lines with meter vaults and meter risers which the municipality determines to be necessary to serve the property when fully developed. (Prior code §26-26)

13.04.270 Material specifications. All service lines shall be of copper, cast iron or other suitable material as determined by the water utility. Corporation cocks, water risers and service lines shall be of the size as specified by the town. Curb stops as specified by the town, buried five and one-half feet shall be used and minimum curb box top sections shall be one and one-half inch in diameter. (Prior code §26-27)

13.04.280 Minimum size. The water service line from the street main to the water distribution system of the building to be served with water shall be of sufficient size to furnish an adequate flow of water to meet the requirements of the building at peak demand and in no event shall it be less than three-fourths inch nominal diameter. (Prior code §26-28)

13.04.290 Required depth. All service lines shall be laid five feet below the established grade of the street from the water main to the meter vault. When the main is of greater or less depth, the service line shall be brought to the required depth as soon as possible after leaving the tap. (Prior code §26-29)

13.04.300 Replacement where materials unsuitable.

Service lines made of materials other than cast iron or copper shall be replaced by copper or cast iron lines or suitable materials when, in the opinion of the administrative official, such lines have become so disintegrated as to be unfit for further use. The water utility shall assume the cost of replacement of the service line between the main and the curb stop and the property owner shall assume the cost of replacement of the water service line between the curb stop and the distribution system of the building served. When such lines have been replaced with copper or cast iron lines as set forth in this article, the water utility shall assume the maintenance of the service line between the water main and the curb stop or meter riser. (Prior code §26-30)

13.04.310 Approval of replacement services.

New services to replace existing services shall not be approved by the town and the water turned on until old service lines are dug up and the corporation cock shut off at the main. (Prior code §26-31)

13.04.320 Extension to more than one property.

A. Each property shall be served by its own service line, and no connection with the water utility shall be made by extending the service line from one property to another property. In cases where service lines were extended from one property to a different property prior to adoption of this section, the continued use of such extension shall be permitted until replacement is necessary, at which time separate connection shall be made to the water main at the expense of the owner of the property served by such extension and the extended service line shall be discontinued; provided, that this section shall not be construed as prohibiting a single service line to serve a single structure under one roof occupying more than one property.

B. No dwelling shall be located on less than six thousand square feet of lot. Any nonconforming use, if discontinued cannot be restarted.

C. Service lines may be run from the existing main connection to auxiliary commercial, public or domestic structures on one property at a cost of one hundred dollars. (Ord. dated 2/13/79; prior code §26-32)

13.04.330 Maintenance.

The owner of the property connecting to the water utility shall be responsible for the maintenance of the water service line from the curb stop or meter riser to the structure being served and shall keep this line in good condition at his expense. He shall,

at his expense, at all times keep all pipes, fixtures and appliances on his property tight and in good working order so as to prevent waste of water. (Prior code §26-33)

13.04.340 Disconnecting service from premises. When a water user desires to disconnect his premises from the water utility, he shall not be permitted to take up that portion of the service line between the main and the curb stop or meter vault, nor shall he be permitted to take up the meter vault, but, at his expense, the water shall be shut off at the corporation cock and all appliances from the water main to and including the meter vault shall remain in the ground and become the property of the municipality. (Prior code §26-34)

ARTICLE IV. STREET MAINS

Division 1. Generally

13.04.350 Shutting water off to make connections, extensions or repairs. Water may be shut off from any street main when necessary to repair the main or to make any connections or extensions of the water mains or to perform any other work necessary to maintain the water utility. (Prior code §26-41)

13.04.360 Minimum size. The size of the main required to serve any part of the town shall be determined by the town. No main less than six inches in diameter shall be placed in the water distribution system. (Prior code §26-42)

13.04.370 Apportionment of costs for extensions. When water mains are extended, the property owners benefited thereby, as determined by the municipality, shall pay all costs of such extension for mains eight inches or less in diameter together with necessary valves, hydrants and other appurtenances. For mains over eight inches in diameter, when required by the municipality, the water utility shall pay the following percentages of the total cost of the extension of such mains:

- A. For ten-inch mains, thirty percent;
- B. For twelve-inch mains, forty percent;
- C. For fourteen-inch mains, fifty-five percent;
- D. For sixteen-inch mains, sixty-five percent. (Prior code §26-43)

13.04.380 Financing extensions to property not part of new subdivision. A. Extension of water lines to serve property within the town, but not a part of a new subdivision, shall be financed by special assessment against the benefitted property or under such terms and conditions as the governing body shall provide by resolution.

B. Assessments against the benefitted property shall not exceed the actual costs of the extension, plus engineering and administrative costs. (Prior code §26-44)

13.04.390 Extensions outside municipality to serve property within the municipality. No water main shall be extended outside the municipal limits to serve property within the municipality (across islands or between peninsulas) except upon the express consent of the governing body under such terms as may be defined by ordinance. (Prior code §26-45)

Division 2. Mains in New Subdivisions

13.04.400 Installation--Generally. The subdivider shall install the mains in his subdivision by private contract, subject to approval of the plans and specifications by the town, execution of the extension contract provided in this division and town inspection of actual construction; provided, that the town may elect to install the mains, in which case the subdivider shall deposit with the town the estimated cost of installing the mains, plus engineering and administrative costs, and the town may then proceed to make the installation by contract with a private contractor. In the event that the original deposit is insufficient, the subdivider shall upon notification, immediately deposit the balance required with the town to complete the work. (Prior code §26-46)

13.04.410 Installation--Costs--Extent. A. All water mains required to serve a platted subdivision, including cross-connecting mains, shall be installed at the cost of the subdivider. The subdivider shall install mains to the farthest points of his subdivision.

B. All mains shall be looped except those in cul-de-sacs; a fire hydrant of the self-draining type shall be installed at the farthest point of the main extension. (Prior code §26-47)

13.04.420 Water main extension contracts. For all water main extensions made to serve any subdivision or area platted after the date of adoption of this section, the subdivider or owner shall enter into a water main extension contract with the town. (Prior code §26-48)

13.04.430 Extension of service around or through vacant property. When a subdivider finds it necessary to bring water service from the existing water system through vacant property to his platted subdivision, or construct lines on the perimeter of such subdivision, the subdivider shall pay the entire costs of the original construction. At the time of annexation or as the property abutting such water main is developed and connections are made to the water main, the town may collect a charge per front foot based upon the original construction cost and if so collected shall reimburse the original subdivider to the extent of the collection so made. In no event shall the actual amount so paid to the subdivider by the town exceed the original cost of the extension. (Prior code §26-49)

13.04.440 Period of subdividers' reimbursement rights under water main extension contracts. The subdivider's right to reimbursement under a water main extension contract shall in no event exceed a period of fifteen years from the date of the execution of such contract and all payments shall cease at that time regardless of the amount that has at that time been received by the subdivider. (Prior code §26-50)

13.04.450 Connecting loops and crossties. Connecting loops and crossties within a subdivision shall be constructed by the subdivider. If the connecting loops are such that property outside the subdivision abuts such loop or ties, and connections are made to such line, the reimbursement provisions of Sections 13.04.430 and 13.04.440 shall apply. Connecting loops in the nature of a general improvement of the water system shall be financed by the water utility. Before any abutting property shall connect to such mains constructed at the expense of the water utility, the charge based on the front footage of the property to be served shall be collected by the town. (Prior code §26-51)

13.04.460 Additional water pumping stations. When additional water pumping stations are required to serve new platted subdivisions, the governing body, as a condition to acceptance of the final plat, may require the installation of the stations and require the subdivider to execute such instruments as may be necessary to convey title to the stations to the town upon completion. The installation and cost of the stations shall be the responsibility of the subdivider. The administrative official shall supervise the construction and determine all matters with respect to the installation of the stations including, but not limited

to, capacity, type, design and location, as in his discretion would meet minimum requirements for fire and domestic demand. The town may require oversize stations to serve areas larger than that proposed by the subdivider; provided, that in such case the town shall pay the cost of the oversize, which cost shall thereafter be collected from other subdividers using the stations. Upon completion the town shall assume responsibility for operation and maintenance of stations installed pursuant to this section. (Prior code §26-52)

ARTICLE V. FEES AND CHARGES

13.04.470 Deposit required. A. A new water user, upon request for water service, shall pay to the town clerk a deposit fee of eighty dollars before any water tap shall be turned on to provide service. The deposit fee shall be paid to assure the payment of the water user's water bill.

B. Upon full payment of the final billing for water service and disconnection of such service, the deposit shall be refunded. In the event a water user shall keep his or her monthly water bill current, so as to evidence a good payment record for a period of one year, then the water user will be refunded his deposit fee. The town clerk may refund the sum if, in the clerk's opinion, a good payment record has been established. (Ord. 221 (part), 2004; Ord. 156 (part), 1993: prior code §26-53)

13.04.480 Minimum charges. A. The following minimum charges in providing water services shall be assessed monthly:

1. Each in-town, individually metered single-family residence, mobilehome, living unit, apartment, condominium, townhouse or other similar type unit and any master metered facilities, including but not limited to mobilehome courts, multifamily residential units or commercial and industrial facilities which are divided into separate units to provide more than one use and are served through a master meter shall pay thirty dollars for the first eight thousand gallons used and three dollars and seventy-five cents per one thousand gallons over eight thousand gallons used, per meter per month.

2. Each out-of-town, individually metered, single-family residence, mobilehome, living unit, apartment, condominium, townhouse or other similar type unit and any master metered facilities, including but not limited to mobilehome courts, multifamily residential units or commercial and industrial facilities which are divided into separate units or provide more than one use and are served through a master meter shall pay thirty-four dollars for the first eight thousand gallons used and four dollars and twenty-five cents per one thousand gallons over eight thousand gallons used, per meter per month.

3. The rates described in subsections 1 and 2 of this section shall become effective on March 1, 2005. (Ord. 230, 2005: Ord. 203, 2001: Ord. 124 §2 (part), Ord. 26-45C, 1992: prior code §26-54)

13.04.485 Water tapping tool--Policy and fee. The town of Baggs water tapping tools will not be loaned out to the general public. The water tapping tool may be used by town employees to tap water lines, as a service to the public, for a fee of fifty dollars per tap. The fee is payable to the town of Baggs. (Ord. 191, 1998)

13.04.490 Water-dispensing machine. There is established a rate of twenty-five cents for sixty-five gallons of water purchased through the town's coin operated water dispensing machine. (Ord. 216, 2003: Ord. 26-54 §1, 1985)

13.04.500 Water meter reinstatement fee. If a water meter is removed from a property for nonpayment of the monthly meter fee, the total balance due on the account plus a one hundred dollar reinstatement fee must be paid prior to the meter being reinstalled on the property. (Ord. 156 (part), 1993: prior code §26-55)

13.04.510 Bulk commercial water charges. Bulk commercial water obtained from the town of Baggs during regular business hours (Monday-Friday, seven a.m. to four p.m.) will be charged a rate of fifty cents per barrel (forty-two gallons per barrel). Bulk commercial water obtained from the town of Baggs after regular business hours or on weekends will be charged a rate of one dollar per barrel (forty-two gallons per barrel). All bulk commercial water

must be obtained from the loading set up at the water treatment facility. (Ord. 224, 2004: Ord. 204, 2001: Ord. 168, 1995)

13.04.520 Bills and notices effective upon mailing. Billing for water service and any other notices relating to the water utility shall be effective upon mailing such billing or notice to the address of the property owner as shown on the records of the town water utility. (Prior code §26-56)

13.04.530 Where payable--Due date. All charges for the use of water as provided for in this article are due and payable at the office of the town clerk. All charges are due upon receipt of bill. (Prior code §26-57)

13.04.540 Liability of property owner for service.

The owner of every building, premises or lot or house shall be liable for all water delivered to or taken from and used upon his premises, which liability may be enforced by the municipality by action at law to enforce payment. In case the tenant in possession of any premises or buildings shall pay the water charges, it shall relieve the landowner from such obligations but the municipality shall not be required to look to any person whatsoever other than the owner for the payment of water charges. No change of ownership or occupation shall affect the application of this section. (Prior code §26-58)

13.04.550 Disconnection or reconnection to premises.

When water is once turned on to any premises and is disconnected for noncompliance with town regulations or nonpayment of charges, the amount owed on that property must be paid in full before water service may be turned back on. (Ord. 156 (part), 1993: prior code §26-59)

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- 13.08.390 Manual sewer tape--Policy and fee.

ARTICLE I. IN GENERAL

13.08.010 Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

"Administrative official" means the administrative official of the town is the water-sewer superintendent.

"Sewer service line" means the sewer line running from the town sewer main to the structure or property to be served.

"Sewer utility" means all sanitary sewers, sewage treatment works, equipment, material and supplies used by the town to collect and dispose of sewage from property in the town and property served by town sewers outside the town; provided, that a sewer service line shall be regarded as the property of the owner of such structure or property served. (Prior code §20-1)

13.08.020 Adoption of additional regulations. The governing body may, from time to time, promulgate such rules and regulations as they consider necessary to carry out the intent of this chapter; provided, that such rules and regulations shall not be inconsistent with this chapter. (Prior code §20-2)

13.08.030 Water-sewer superintendent--Powers and duties. The water-sewer superintendent shall cause to be inspected all openings made in any sewer and all connections made to the sewer utility. He shall take such action as he deems necessary to prevent injury or damage to the sewer utility and to prevent interference with the free flow of sewage. (Prior code §20-3)

13.08.040 Permit required for alteration of service lines. It is unlawful to extend any sewer service line or to change, enlarge or alter the use of any sewer service line connected to the sewer utility without first obtaining a permit therefor from the town clerk. No such permit shall be issued to property situated outside the town, except under such terms and conditions as the governing body shall provide. (Prior code §20-4)

13.08.050 Separate service line required for each property--Plumbing fixtures to be connected by property owner upon notice. Each property shall be served by its own sewer service line. All plumbing fixtures in any building or structure on any land adjoining to or abutting on or near any street or alley or other place through which there is a public or private sewer connected with the sanitary sewer utility of the town shall be connected by the owner of the property or his agent or other persons having charge of or receiving the rent or being the tenant of the same, with such public or private sewer upon notice from the town. Such notice shall be served upon the owner of

such property by registered or certified mail to his last known address; provided, that this section shall not be construed as prohibiting a single service line to serve a single structure under one roof occupying more than one property. (Prior code §20-5)

13.08.060 Sand and grease traps required when. All filling stations, garages and similar places having wash or grease racks connected with the sewer utility shall be provided with a sand and grease trap of suitable size and construction. (Prior code §20-6)

13.08.070 Depositing injurious material into system. It is unlawful to throw or deposit or cause or permit to be deposited in any vessel or receptacle connected with the sewer utility any petroleum products, volatiles, acids, highly alkaline solutions or any other matter whatsoever which shall be in any way injurious to the system or the treatment process at the treatment plant or which shall in any way cause undue maintenance of the system or the sewage plant. (Prior code §20-7)

ARTICLE II. SEWER CONNECTIONS

13.08.080 Required for occupied land within the town corporate limits. All occupied lots or parts of lots or land in the town shall be connected by private drain connections with the public sewer, in the manner as provided in this chapter, and no privy vault or cesspool shall be maintained, kept or continued thereon. If the owner of property coming within the purview of this section neglects or refuses to make such connection, the governing body shall make written notice to such owner or his agent to make or cause such connections to be made. The owner or his agent shall comply with such notice within thirty days from the service of such notice. Every such thirty days' neglect, after service of such notice, shall constitute a separate offense; provided, that where the drainage is such that it is impossible or impracticable to make such sewer connection, this section shall not apply. (Ord. 145, 1993: prior code §20-8)

13.08.090 Connections to be made before paving adjacent streets. Before any street or alley is paved, the owners of all property abutting land thereon where a sanitary sewer is shall make proper sewer connections with such sanitary sewer, whether the immediate use thereof is required or not. Until used, such connecting sewers shall be supplied with a proper cap or covering sufficient to prevent the escape of sewer gas. (Prior code §20-9)

13.08.100 Permit--Required. No person shall make any connection to or uncover or open any town sewer without first obtaining a permit therefor from the town clerk. (Prior code §20-10)

13.08.110 Permit--Application. Any person desiring to make any connection to the sewer utility shall make written application to the town clerk for a permit. All such applications must contain a description of the property to be connected, the kind and size of the service line and the kinds of fixtures to be served. (Prior code §20-11)

13.08.120 Permit--Contents--Fees. A. The permit shall state the name and address of the person making the connection or excavation, the property to be serviced, the location of the tap to the town sewer main and the size of the tap and kind and size of service lines and fixtures to be served.

B. The costs for sewer service connections being made to the town's sewer service system between April 1st and November 30th are as follows:

1. The cost for a four inch sewer service connection to the town's sewer service system is seven hundred dollars.

2. For a six inch or larger connection, the cost will be negotiated between the applicant and the town council according to the existing conditions at the time of the request for the tap and taking into account the ability of the town water and sewage systems to furnish the amount requested.

C. The costs for sewer service connections being made to the town's sewer service system between December 1st and March 31st will be fifty percent higher than those costs established in subsection (B).

D. The cost for the sewer tap fee for multiple units, whether residential or commercial, shall be the basic tap fee, as set forth in subsections (B) and (C), for the first unit and an additional twenty percent of the basic tap for each additional unit. "Multiple units," as used herein, shall include a mobilehome court, which is defined as two or more trailer spaces under a single ownership and contiguous to each other, apartment complex, motel, hotel and related establishments. The single units shall be served from one service line with each such unit having its own billing. (Ord. 217, 2003: Ord. 146, 1993: prior code §20-12)

13.08.130 Permit--Types issued. The following types of permits shall be issued for connecting to the sewer utility:

A. Permits to run a sewer service line from the sewer main to the property line of the property to be served;

B. Permits to run a sewer service line from the sewer main to the structure or building to be served;

C. Permits to run a sewer service line from the stubbed-in service at the property line to the building or other structure to be served;

D. Permits to connect a sewer service line to the sewer utility to serve property outside the town; provided, that no permit shall be issued to connect with the sewer utility to serve property lying outside the town except with the express consent of the governing body and under such terms and conditions as the governing body may by resolution prescribe;

E. Permits to renew any of the sewer service lines provided for in this section;

F. Permit for running sewer line from existing line tap to auxiliary commercial, public or domestic structure on the same property. (Ord. 147, 1993; Ord. dated 2/13/79; prior code §20-13)

13.08.140 Inspection before connections are made.

All plumbing shall be subject to inspection by the water-sewer superintendent or his authorized representatives, in order to ascertain whether the requirements of this chapter have been or are being complied with. It is unlawful for any person to cause any plumbing within or outside the town to be connected with the sewer utility of the town until such plumbing shall have been inspected and approved and a certificate or tag of approval issued by the town. (Prior code §20-14)

13.08.150 Water drains and downspouts. It is unlawful to connect any stormwater drains, downspouts, subsurface drainage systems or steam exhausts or blowoff from a steam boiler to the sanitary system. (Prior code §20-15)

ARTICLE III. INSTALLATION AND REPAIR OF SEWER SYSTEM

13.08.160 Service lines--Dimensions and material requirements. The size of any sewer service line shall not be greater than four inches inside of the pipe without specific approval by the town council. The pipe shall be formed of good, hard and sound vitrified clay or cast-iron pipe with root resistant joints or such pipe and materials as may be approved by the water-sewer superintendent. (Prior code §20-16)

13.08.170 Service lines--Backfilling of trenches. Backfilling of sewer service line trenches shall be hard packed with care and well rammed to prevent the slightest settling of the trenches. (Prior code §20-17)

13.08.180 Service lines--Maintenance of inside. The inside of every sewer service line connecting with the sewer utility shall be left smooth and perfectly clean throughout its entire length and the ends of all lines not

to be immediately used shall be securely guarded against the introduction of earth, sand or other foreign material by bricks and cement or other watertight and impervious material. (Prior code §20-18)

13.08.190 Property lines--Property owner responsible for cost. The cost of installing the sewer service line shall be paid by the property owner. The owners of the property served by a sewer service line shall be responsible for repairing or replacing such sewer service line when, in the opinion of the superintendent such line has become inoperative due to stoppages, crushing, settlement or any other defect. (Prior code §20-19)

13.08.200 Property lines--Connections to sewer mains. All connections to the sewer shall be made by town employees or such other person as may be specifically authorized by the town to make such connection. Any unauthorized connection may be removed by the town and the property owner shall bear the expense of such removal. Town employees shall make the actual connection to the main and extend the connecting line to the owner's property line at town expense. The property owner shall install all connection lines on his property at his own expense, and such installation shall meet town specifications. The town water-sewer superintendent shall inspect all such connections on private property before the excavation may be filled. (Prior code §20-20)

13.08.210 Cost of larger mains--Town's responsibility. Except in such instances where a single sewer district, subdivision or development under one ownership shall require a main greater than eight inches in diameter, the town shall participate in the cost of installing larger sized mains. The extent of town participation shall be based on the following percentages of the total cost of sewers greater than eight inches in diameter:

- A. For ten-inch mains, the percentage of the town's participation shall be fifteen percent;
- B. For twelve-inch mains, the percentage of the town's participation shall be twenty-five percent;
- C. For fifteen-inch mains, the percentage of the town's participation shall be thirty-five percent;
- D. For eighteen-inch mains, the percentage of the town's participation shall be forty-five percent;
- E. For mains larger than eighteen inches in diameter, the extent of the town's participation shall be determined by the governing body;

F. In those instances where a district, subdivision or development under one ownership is of such size that mains larger than eight inches in diameter are required, the entire cost of such oversize mains shall be paid by the district or subdivider. (Prior code §20-21)

13.08.220 Construction of sewers in subdivision-- Main extension contract required. No sewer shall be constructed in a platted subdivision until the subdivider and the town have executed a sewer main extension contract. (Prior code §20-22)

13.08.230 Construction of sewers in subdivision-- Installation of mains. The subdivider shall install the mains in his subdivision by contract upon approval of the plans and specifications by the town, execution of the sewer extension contract and town inspection of actual construction; provided, that the town may elect to install the mains, in which case the subdivider shall deposit with the town the estimated cost of the sewer construction, plus engineering and administrative costs. The town shall then proceed to construct the sewer under contract. If at any time the actual cost exceeds the amount deposited, the subdivider shall immediately deposit sufficient funds to complete the work. (Prior code §20-23)

13.08.240 Construction of sewers in subdivision-- Costs--Extent of mains. The subdivider shall pay the costs of construction of all sewer mains and appurtenances to, in and through his subdivision, except as otherwise provided in this chapter. Sewer mains shall always be extended to the farthest points upgrade in a platted subdivision so that the system may be perpetuated. (Prior code §20-24)

13.08.250 Construction of sewers in subdivision-- Undeveloped areas. When a subdivider finds it necessary to construct a sewer through undeveloped areas to serve his platted subdivision, the entire cost of such sewer line shall be paid by the subdivider unless the oversize main provisions of Section 13.08.230 are applicable. At the time of annexation or as the property abutting such sewer is developed and connections are made to the sewer, the town may collect a charge per front foot based upon the original construction cost and if so collected shall reimburse the original subdivider to the extent of the collections so made; provided, that in no event shall such reimbursement exceed the total cost of the sewer. A subdivider's right to reimbursement under the provisions of this section shall terminate fifteen years after execution of the sewer extension contract. (Prior code §20-25)

13.08.260 Property not a part of subdivision--Extension of sewer. Extension of sewers to serve property within the town, but not a part of a subdivision shall be financed by special assessment against the benefitted property or under such terms and conditions as the governing body shall provide. (Prior code §20-26)

13.08.270 Nongravity lines--Pumping stations generally. When pumping stations are required, the cost of constructing such stations shall be the responsibility of the property served thereby. In those instances where it appears that more than one subdivision may be served by the pump station, the town may require a larger capacity than that necessary to serve the initial development. Where such larger capacity is required the additional cost may be paid by the sewer utility and thereafter collected from other property owners or subdividers connecting to lines served by the pump station. Such charges shall be paid prior to the time any connections are made. (Prior code §20-27)

13.08.280 Pumping stations--Force mains serving areas not otherwise able to enter sewer utility. Force mains required to serve an area not otherwise able to enter the town's sewerage system shall be constructed at the expense of the owners of the property to be served thereby. (Prior code §20-28)

13.08.290 Pumping stations--Tie into gravity lines. In those instances where pumping stations and force mains are required, the sewerage system shall be designed so as to permit an eventual connection into a gravity system with a minimum of expense. Where practicable, easements shall be provided and lines constructed to tie into the gravity system. The town may require deposits, where deemed necessary, from the property owners requiring such force system to insure the eventual construction of gravity lines. (Prior code §20-29)

13.08.300 Extension of service outside town--Authority of governing body. The governing body may in its sole discretion enter into agreements with customers whose lands lie outside the corporate limits, to extend the town's sewer system for the use, needs and requirements of such customers. (Prior code §20-30)

13.08.310 Extension of service outside town--Findings prerequisite to agreement. Before the governing body shall enter into any agreement for the extension of the town's sewer system to customers outside the corporate limits, it shall find that:

A. The extension of sewer service is economically feasible;

B. The property to be served is readily adaptable to and can be made to conform, within a reasonable time to be fixed by the city council, to the then existing ordinances of the town which relate to subdivision, platting, zoning and construction of improvements;

C. The property to be served to not currently contiguous to the town limits and cannot therefore be annexed to the town pursuant to the laws of the state, but that such property can reasonably be expected to be annexable to the town within the foreseeable future;

D. Such extension would help promote the orderly growth and development of the town;

E. Such extension would help promote the health, safety and welfare of the citizens of the town;

F. Such extension would help promote ecological and aesthetic considerations in the growth and development of the town;

G. Such extension is generally in the best interests of the citizens of the town. (Prior code §20-31)

ARTICLE IV. SERVICE CHARGES

13.08.320 Rates and billing procedures. The following minimum charges in providing sewer services shall be assessed monthly:

A. Each single-family residence, mobilehome living unit, apartment, condominium, townhouse or other similar type unit shall pay a minimum charge of ten dollars per month.

B. Rooming houses, cafes, service stations, bars, laundries, hotels, industrial facilities and other similar business establishments shall pay a minimum charge of ten dollars per sewer unit per month.

C. Lodge halls, churches and other public, non-profit institutions shall pay a minimum charge of ten dollars per month.

D. Motels shall pay ten dollars per unit per month for the first two units. Three dollars per month will be charged for each additional unit above two.

E. The minimum rates described in subsections A, B, C and D of this section shall become effective on March 1, 2005. (Ord. 231, 2005: Ord. 181, 1997: Ord. 20-32B, 1987; prior code §20-32)

13.08.330 Deposit to begin using sewer utility. A new sewer user, upon application for water and sewer service, shall pay in advance a sixty dollar deposit for water and sewer, as set forth in Section 13.04.470. The deposit fee shall be paid to assure the payment of the water user's bill. (Ord. 148, 1993: prior code §20-33)

13.08.340 Charge for service outside town. The charge for sewer service outside the town shall be the same as for sewer service within the town, unless otherwise provided by the governing body. (Ord. 149, 1993: prior code §20-34)

13.08.350 Metering of water from private sources. The superintendent may require that water used for private wells which enters the sanitary sewer system shall be metered or he may otherwise determine the method to be used to establish the rate to be charged for sewer service. (Prior code §20-35)

13.08.360 Charges to be included on water bill. Sewer charges shall be included on the water bill. (Prior code §20-36)

13.08.370 Place of payment--Due date of bills. Any and all sewer charges shall be due and payable at eight a.m. on the twenty-fifth day of the month following the rendition of services. (Ord. 150, 1993: prior code §20-37)

13.08.380 Liability of property owner for service. The owner of every building, premises or lot or house shall be liable for all sewage generated on his premises, which liability may be enforced by the town by action at law to enforce payment. In case the tenant in possession of any premises or buildings shall pay the sewer charges, it shall relieve the landowner from such obligations but the town shall not be required to look to any person whatsoever other than the owner for the payment of sewer charges. No change of ownership or occupation shall affect the application of this section. (Ord. 151, 1993: prior code §20-38)

13.08.390 Manual sewer tape--Policy and fee. The town of Baggs will allow the fifty foot and one hundred foot sewer tapes to be loaned out to the general public. A fee of ten dollars per tape per requested use will be assessed to the borrowing party. The borrowing party must complete a "loan-out form" and pay the appropriate fee, payable to the town of Baggs, at the time the equipment is loaned out. (Ord. 193, 1998)

13.08.400 RV sewer dump use policy and fee. Persons wishing to utilize the town's RV sewer dump must contact the Baggs Town Hall, sign a release form, pay a five dollar fee for utilizing the facility and a ten dollar key deposit, prior to being issued a key to access the facility. Upon the return of the key to the Town Hall office, they will be refunded their ten dollar key deposit. (Ord. 202, 2001)

Title 14

(RESERVED)