

Title 13

PUBLIC SERVICES

Chapters:

- 13.04 Water System
- 13.08 Sewer System
- 13.12 Utility Non-user Agreements

Chapter 13.04

WATER SYSTEM

Sections:

- 13.04.010 Ownership and control.
- 13.04.020 Management of the Waterworks Systems.
- 13.04.030 Rates and Payment for Service.
- 13.04.040 Deposit for Service.
- 13.04.050 Rates and Payment of Tap Fees.
- 13.04.060 Unpaid Water Bills and Tap Fees to Become Lien on Property--Foreclosure of Unpaid Bills and Fees.
- 13.04.070 Maintenance of Private Facilities Generally--Freezing of Water Lines
Operation of Curb Stops—Installation of Private Water Lines.
- 13.04.080 Extension of Facilities.
- 13.04.090 Water Conservation.
- 13.04.100 Water Meters.
- 13.04.101 Unlawful Acts.
- 13.04.110 Violation-Penalty.

13.04.010 Ownership and Control. The system of waterworks distribution and supply of the Town of Hanna, located within and without the corporate limits of the Town, are owned by the Town and maintained, controlled and managed exclusively by the Town Council for municipal purposes, the object being to supply the inhabitants thereof with water for domestic, manufacturing, irrigation and other purposes within the Town limits. The Town Council controls and approves all additions, changes, and deletions to the system and all connections and disconnections to the waterworks systems.

13.04.020 Management of Waterworks Systems. The Town Council controls, manages and maintains the waterworks system as set forth in Section 13.04.010. In the furnishing and maintenance of the water services provided in this chapter, the Town Council may be represented, when it deems necessary, by the public works director, who is a department head of the Town of Hanna. The duties of the public works director, as they relate to the waterworks system, include, but are not limited to, superintending the installation and maintenance of the water distribution system; giving reports of his activities to the Town Council at a regular time designated by them or upon request; auditing bills or claims for work done or material furnished to the system of waterworks of the Town prior to payment by the Town Council, and such other duties as may be assigned from time to time.

13.04.030 Rates and Payment for Service.

- A. The Town Council has the authority to establish, by resolution from time to time, rates for water consumption, costs, and services incidental for the operation of the waterworks system.
- B. Rates for Residential Users:

Water Usage	Water Rate
(Gallons)	(per one thousand gallons)
0000 to 7,000	\$35.00 (base rate)
7,001 to 14,000	\$1.13
14,001 to 21,000	\$1.30
21,001 to 28,000	\$1.49
28,001 to 35,000	\$1.71
35,001 to 42,000 plus	\$1.97

Minimum charge of \$35.00 per month.

C. Commercial, Industrial and School Users:

Water Usage (Gallons)	Water Rate (per one thousand gallons)
0000 to 7,000	\$35.00 (base rate)
7,001 to 14,000	\$1.13
14,001 to 21,000	\$1.30
21,001 to 28,000	\$1.49
28,001 to 35,000	\$1.71
35,001 to 42,000 plus	\$1.97

Minimum charge of \$35.00 per month

- D. Trailer courts, when attached to the same tap, will be billed to the property owner based upon the total number of gallons consumed as measured by a master meter installed on the main consumer line. Trailer courts will also be billed ten dollars (\$10.00) per month per active unit for a maintenance fee.
- E. Multiple units, when attached to the same tap, will be billed to the property owner based upon the total number of gallons consumed as measured by a master meter installed on the main consumer line. Multiple units will also be billed ten dollars (\$10.00) per month per active unit for a maintenance fee.
- F. Bulk Rate for Water from Town Wells:
1. Thirty-five dollars (\$35.00) for the first ten thousand (10,000) gallons or less of water from the well, and two dollars (\$2.00) for every one thousand (1,000) gallons thereafter.
 2. If the Town of Hanna has to provide a pump for the well:
 - a. Fifty dollars (\$50.00) for the first ten thousand (10,000) gallons or less of water from the well, and three dollars (\$3.00) for every one thousand (1,000) gallons thereafter.
 3. For Processed water there will be a five hundred dollar (500.00) refundable deposit required, along with the following fees:

- a. For processed water that comes from the old well house behind the one million gallon tank, the charge will be eight dollars (\$8.00) per one thousand gallons.
 4. Bulk water shall be distributed only through the wells designated by the Town, including but not limited to, the well located behind the County's Fire Station which is at the corner of Front St. and Clark St.
- G All monthly bills shall be due and payable by the property owner on or before the tenth (10th) day of the month following that in which the service was rendered, at the expiration of which time unpaid bills shall be deemed delinquent.
- H. All monthly bills will contain a statement informing of the right to dispute the amount of the water charge by contacting the Town Clerk in writing, specifying the factual basis of the dispute by the twentieth (20th) day of the month. If the Town Clerk is contacted in accordance with the provisions of the statement, the Town Clerk, or some other individual designated by the Town Clerk as an employee empowered to resolve the dispute, shall determine the specific amount owed, if any. If it is determined the water billings is correct, the Town shall give written notice of such finding, together with notification that unless the billing is paid within five (5) days subsequent, water service will be turned off.
- I. A service charge equal to ten percent (10%) of the monthly bill will be assessed on all delinquent accounts on the twenty-first (21st) day of the month.
- J. Unless prior payment arrangements have been made with the Town Clerk, a turn off fee will be charged if water service is discontinued for any reason, including delinquency, A turn-on fee, plus all outstanding charges for water service, service charges, and administrative collection fees incurred in collecting delinquent accounts and the turn off fee, must be paid before service is restored.
- K. At any time an account has been delinquent for ten (10) or more calendar days, water service may be turned off to the property upon five (5) calendar days' notice of the Town's intent to turn off the water. Notice of intent to turn off the water is deemed to have been accomplished if:

1. A notice is deposited in the US mail with sufficient postage affixed, addressed to the property owner at the address for billing purposes, and/or
 2. A notice is deposited in the US mail with sufficient postage affixed, addressed to the occupant of the premises at the address for billing purposes
- L. Turn-on and Turn-off fees to Establish and Account, Transfer and Account, or Placing and Account on Inactive status:
1. Turn off by the Town of Hanna: ten dollars (\$10.00)
 2. Turn off by any person, firm or corporation other than the Town of Hanna: fifty dollars (\$50.00).
 3. Turn on by the Town of Hanna: ten dollars (\$10.00)
 4. Turn on by any person, firm or corporation other than the Town of Hanna: fifty dollars (\$50.00)
 5. A meter pull fee of sixty-five dollars (\$65.00) per tap when meter is requested by property owner to be taken out.
 6. A meter install fee of sixty-five dollars (\$65.00) per tap when meter is requested by property owner to be installed.

A work order shall be issued by the Town Clerk upon payment of the required turn-on/turn-off fee authorizing either the Town of Hanna or a person, firm or corporation other than the town, to turn on/turn off the water service.

M. Administrative Collection Fee:

1. Notice of Intent to file Lien: fifteen dollars (\$15.00)
2. File Lien Statement: twenty five dollars (\$25.00)

N. Meter/Maintenance Fee:

1. A minimum monthly fee of ten dollars (\$10.00) being the meter/maintenance fee, shall be assessed for all residential, commercial, and industrial properties with meters and lines up to:

5/8"	meter and lines	\$10.00
1"	meter and lines	\$15.00
1 1/2"	meter and lines	\$22.50
2"	meter and lines	\$30.00
3"	meter and lines	\$45.50
4"	meter and lines	\$60.50

- O. Monthly water rates for residential, commercial, industrial and school users shall increase a minimum of 2.5 % per year until reserve amount of two hundred fifty thousand dollars (\$250,000.00) is achieved for infrastructure upgrade expenses.
- P. The Town Council may repeal or amend this ordinance at any time they determine revenue shortfalls have been recovered, or at any time it may be in the best interest of the Town.

13.04.040 Deposit for Service. The Town of Hanna shall establish an account for each parcel of property to which water service is provided. All accounts shall be carried in the name of the property owner, tenant, purchaser or lessee (collectively referred to as "occupant") of each parcel of property. A security payment for each account established, in the amount of ninety dollars (\$90.00) of which seventy dollars (\$70.00) will be for the water service and twenty dollars (\$20.00) will be for the sewer service, is required and shall be made payable to the Town of Hanna. The deposit may be applied to the account at the time for the turning off of service and to any other amounts, other than criminal fines accessed by the Municipal Court, owed to the Town, regardless of the nature of the indebtedness. (Ord. 350, April 8, 2012), (Ord. 355, April 9, 2013).

13.04.050 Rates and Payment of Tap Fees.

- A. The Town Council has the authority to establish by ordinance tap fees for connecting to the water main. The cost of installing the tap shall be paid to the Town Hanna and a work order issued by the Town Clerk prior to making any connection whatsoever to the water main. The work order shall be issued for a specific person on a specific property which may be described by street address and shall not be transferable to other property nor to another person. No water service shall be provided until the water tap fee is paid in full.
- B. After payment of the water tap fee and issuance of a work order, the Town of Hanna will tap the water main, run the lateral water line from the water main to the property line and install a meter and curb stop. All materials and fixtures required to bring water service to the curb stop, as well as the water meter, shall be furnished by the Town. Thereafter, the property owner shall be responsible for running and connecting water service from the curb stop into his property.
- C. The tap fee is as follows:
1. \$1500.00 for single residential or commercial connections not exceeding three quarters of one inch (3/4") in diameter.
 2. \$1500.00 for the first unit plus \$50.00 per unit for each additional unit for multiple unit residential or commercial connections not exceeding three quarters of one inch (3/4") in diameter.
 3. \$3000.00 for single residential or commercial connections exceeding three quarters of one inch (3/4") but not exceeding two inches (2") in diameter.
 4. \$3000.00 for the first unit plus \$50.00 per unit for each additional unit for multiple unit residential or commercial connections exceeding three quarters of one inch (3/4") but not exceeding two inches (2") in diameter.
 5. For any residential or commercial connection exceeding two inches (2") in diameter, the diameter, the tap fee shall be negotiated between the applicant and the Town Council in advance, taking into account conditions existing

at the time of the application, the ability of the waterworks system to furnish the amount of water required by the applicant, additional administrative expenses that must be incurred by the Town, the costs of labor and materials to complete the tap, and any and all other factors that may reasonably be expected to result in an additional financial burden to or necessitate additional capital expenditures from the Town. (Ord. 0905-003 01/10/06)

6. The water tap fee for multiple units, whether residential or commercial, including trailer courts, when attached to the same tap, shall be Fifty Dollars (\$50.00) for the first unit and an additional Twenty-five (\$25.00) for each additional unit plus labor and materials necessary and charged by the Town for tapping the water main and extending water service to the curb stop at the property line and installation of a water meter and curb stop, plus Twenty-five percent (25%) of the total cost of the labor and materials charged.
7. After the tapping is complete, the total charge shall be finalized. The balance of the fee is due to the Town within ten (10) calendar days of billing by the Town and becomes delinquent, and subject to a ten percent (10%) service charge if not paid by the twenty-first (21st) day after billing. No water service shall be provided until the tap fee is paid in full. If there has been an overpayment for the estimated tap fee, the Town shall refund the balance.

13.04.060 Unpaid Water Bills and Tap Fees to Become Lien on Property--Foreclosure of Unpaid Bills and Fees.

- A. Any account which is delinquent for twenty-six (26) calendar days or more shall be subject to a lien upon the property-after the following steps have been taken:
 1. The Town of Hanna shall give ten (10) calendar days' notice, in writing, to the property owner at his address for water billing purposes, of its intent to file a lien against the property. Such notice shall reasonably describe the property and set forth the amount claimed by the Town. The street address shall be sufficient to describe the property in the notice.

After expiration of the ten (10) day notice, the Town shall file a lien statement, properly acknowledged and containing a true legal description

of the property, in the Office of the County Clerk and Official Register of Deeds, Carbon County, Wyoming.

2. Upon the filing of the lien statement, the lien shall be considered a lien on the property for all purposes.
- B. Any such lien may thereafter be foreclosed by appropriate action in a court of competent jurisdiction or in the manner provided by law for the foreclosure of a mortgage by advertisement and sale as set forth in the Wyoming Statutes as amended from time to time.
 - C. The Town may, at its option, concurrently pursue turning off water service to the property and establishing a lien. These remedies are cumulative, not elective. In addition, the Town may, at its option, pursue collection of the debt in any manner allowed by law at any time after a bill becomes delinquent.

13.04.070 Maintenance of Private Facilities Generally—Freezing of Water Lines--
Operation of Curb Stops—Installation of Private Water Lines.

- A. In the event of a broken or frozen consumer line which is located on Town property, the Town may make the necessary repairs to that portion of the consumer line which is located on Town property as soon as practicable. The property owner shall pay all labor and materials reasonably charged by the Town for such repair.
- B. In the event of a broken or frozen consumer line on private property, the property owner shall make the necessary repairs as soon as practicable.
- C. If repairs to a broken or frozen consumer line on private property are not made within a reasonable length of time, considering the elements and availability of repair equipment, the Town of Hanna may turn-off the water service.
- D. Only the Town of Hanna, acting through its duly authorized agents and representatives, can turn-off or turn-on the valve at the curb stop or at any other location.
- E. All consumer lines shall be buried a minimum of six feet below the existing grade and shall be backfilled with good material and well tamped.

- F. The Town of Hanna shall be responsible to pay any and all costs for material and labor necessary to maintain and repair municipal water lines to and including any curb stop. The property owner, tenant, purchaser or lessee shall be responsible to pay any and all costs for material and labor necessary to maintain and repair water lines from the curb stop to and on his property. (Ord. 1105-001, January, 10th 2006)

13.04.080 Extension of Facilities. The Town of Hanna will not approve any further plats nor permit any further development in the un platted portion of the Town of Hanna or in any property annexed unless and until the owners of the property shall agree to install main water lines from the existing town water system, lateral water lines and curb stops and meters sufficient to provide water service to the area to be so platted or developed.

13.04.090 Water Conservation. During any time that water is in short supply, or there is any water emergency whatsoever, the Mayor and the Town Council may establish reasonable rules and regulations to promote the health, safety and water welfare of the inhabitants of the Town of Hanna, These reasonable rules and regulations may include, but not by way of limitation, the power to ration water on any uniform basis deemed necessary by the Mayor and Town Council.

13.04.100 Water Meters.

- A. All such meters are owned and belong to the Town of Hanna.
- B. Any time the Town has cause to believe a water meter is malfunctioning in any respect, the Town shall repair or replace the meter as soon as practicable. Such replacement or repairs are at the expense of the Town, unless resulting from neglect, abuse or tampering by the property owner, tenant, purchaser or lessee. The Town may turn-off water service to any person refusing to permit the Town to repair or replace a meter. In the event of a dispute regarding malfunction, the Town shall have the meter tested for operation and calibration with a prevailing party to the dispute to pay all charges and expenses incurred in testing the operation and calibration of the meter.

- C. From and after the effective date of this section, the Town of Hanna shall furnish and install the water meters for all new taps, the cost to which is included in the tap fee established in Section 13.04.050.
- D. From and after November 1, 1998, the Town of Hanna will provide water service only to that property with a radio read meter. Upon the failure to have a radio read meter, the Town of Hanna may turn-off water service until such time as the meter is installed.
- E. All meters shall be maintained by the Town of Hanna, and shall be tested and repaired as necessary. The cost of repairs resulting from neglect, abuse or tampering shall be paid by the property owner, tenants, purchaser or lessee, and added to and considered a part to the charge for water service. (Ord. 355, April 9, 2013).

13.04.101 Unlawful Acts.

- A. It is unlawful for any person, firm, or corporation, excepting the properly authorized agents, officers or employees of the Town of Hanna, to add, change, alter, or otherwise modify or tamper with the waterworks system within or without the Town of Hanna, to insert taps in any water main, to otherwise connect or disconnect from any water main.
- B. It is unlawful for any person, firm or corporation other than the properly authorized agents, officers or employees of the Town of Hanna to turn-off or turn-on a valve at the curb stop or at any other location unless that person, firm or corporation has first paid the fee and received a work order from the Town to do so.
- C. It shall be unlawful for any person to tamper or interfere with any meter, or meter seal or remote, or to so arrange the water service or piping so that the use of water will not actuate the meter.

13.04.110 Violation--Penalty. Any person who violates any provision of this chapter shall, upon conviction, be guilty of a misdemeanor and subject to the fine as set forth in the General Penalty Provisions of the Town of Hanna. Each day of violation or any portion thereof shall constitute a separate offense. (Ord. 270, 1998)

Chapter 13.08

SEWER SYSTEM

Sections:

- 13.08.010 Ownership and Control.
- 13.08.020 Management of Waterworks System.
- 13.08.021 Sewer Lagoon Dredging Reserve.
- 13.08.030 Rates and Payment for Service.
- 13.08.040 Rates and Payment of Tap Fees.
- 13.08.050 Unpaid Sewer Bills and Tap Fees to Become Lien on Property-Foreclosure of Unpaid Bills and Fees.
- 13.08.060 Extension of Facilities.
- 13.08.070 Specifications for Connecting Lines.
- 13.08.080 Maintenance of Private Facilities Generally.
- 13.08.090 Inspection.
- 13.08.100 Backfill.
- 13.08.110 Certain Connections Forbidden.
- 13.08.115 Maintenance of Consumer Service Lines Generally
- 13.08.120 Discharge of Surface Water Into Sewer Works System Prohibited.
- 13.08.130 Use of Privies or Cesspools Prohibited.
- 13.08.140 Connections to Sewer System Required.
- 13.08.150 Unlawful Acts.
- 13.08.160 Violation--Penalty.

13.08.010 Ownership and Control. The system of sewer works [all facilities for collecting, pumping, treating and disposing of sewage] of the Town of Hanna, located within and without the corporate limits of the Town, are owned by the Town and maintained, controlled and managed exclusively by the Town Council for municipal purposes. The object and purpose of the sewer works system is to make available to the residents of the Town, sanitary sewage disposal facilities for the convenience of the residents and for the elimination of the causes of pollution of water supply resources, air, and land. The Town Council controls and approves all

additions, changes, and deletions to the system and all connections and disconnections to the sewer works system.

13.08.020 Management of Waterworks System. The Town Council controls, manages and maintains the sewer works system as set forth in Section 13.08.010. In the furnishing and maintenance of the sewer services provided in this chapter, the Town Council may be represented, when it deems necessary, by the public works director, who is a department head of the Town of Hanna. The duties of the public works director, as they relate to the sewer works system, include, but are not limited to, superintending the installation and maintenance of the sewer works system; giving reports of his activities to the Town Council at a regular time designated by them or upon request; auditing bills or claims for work done or materials furnished to the system of sewer works of the Town prior to payment by the Town Council, and such other duties as may be assigned from time to time.

13.08.021 Sewer Lagoon Dredging Reserve.

There is hereby created a "Sewer Lagoon Dredging Reserve" within the Town of Hanna Sewer Fund. The purpose of the reserve is to allow money to accumulate from year to year until the accumulation is sufficient to permit the economical expenditure of funds to dredge the sewer lagoons of the Town of Hanna. This reserve is created in recognition that the sewer lagoons are critical capital improvements within the Town's sewer system which, from time to time, require

large expenditures of money. The council may, from time to time, by ordinance earmark a specific portion or amount of the sewer system fees as "sewer lagoon dredging reserve fee" and all funds so collected shall be credited to that reserve. Disbursement from the reserves shall be made by transfer to a revenue account within a capital improvement fund pursuant to an appropriation for the fund. (Ord. 1203.003, February 10, 2004.)

13.08.030 Rate and Payment for. Service.

A.

The Town Council has the authority to establish rates sewer works use, and services incidental to the operation of the sewer works system, from time to time, by ordinance

- B. All monthly bills shall be due and payable by the property owner on or before the tenth (10th) day of the month following that in which the service was rendered, at the expiration of which time unpaid bills shall be deemed delinquent.
- C. All monthly bills will contain a statement informing of the right to dispute the amount of the sewer charge by contacting the Town Clerk in writing, specifying the factual basis of the dispute by the twentieth (20th) day of the month. If the Town Clerk is contacted in accordance with the provisions of the statement, the Town Clerk, or some other individual designated by the Town Clerk as an employee empowered to resolve the dispute, shall determine the specific amount owed, if any. If it is determined the sewer billing is correct, the Town shall give written notice of such finding, together with notification that unless the billing is paid within five (5) days subsequent, sewer service will be turned off.
- D. A service charge equal to ten percent (10%) of the monthly bill will be assessed on all delinquent accounts on the twentieth (20th) day of the month.
- E. A turn-off fee will be charged if sewer service is discontinued for any reason, including delinquency. A turn-on fee, plus all outstanding charges for sewer service, service charges, and administrative collection fees incurred in collecting delinquent accounts and the turn-off fee, must be paid before service is restored.
- F. Rates and fees in effect in the Town of Hanna, from and after the effective date of the ordinance, are as follows:
1. Residential Users:
 - a. Ten Dollars (\$10.00) per month
 - b. Two dollars (\$2.00) per month for the sewer lagoon dredging reserve fee.
 2. Commercial, Industrial, and School users:
 - a. Seventy Five Percent (75%) of the water bill per month as measured by the water meter installed on the consumer line.
 3. Turn-on and Turn of fees:

- a. Turn-off by the Town of Hanna: Ten Dollars, (\$10.00).
- b. Turn-off by any person, firm or corporation other than Town of Hanna: Fifty Dollars, (Fifty Dollars).
- c. Turn-on by the Town of Hanna: Ten Dollars, (\$10.00).
- d. Turn-on by any person, firm or corporation other than Town of Hanna: Fifty Dollars, (Fifty Dollars).

A work order shall be issued by the Town Clerk upon payment of the required Turn-on, Turn-off fee authorizing either the Town of Hanna or person, firm or corporation other than the Town to turn-on, turn-off sewer service.

4. Establish Account, Transfer Account or Placing Account on Inactive Status (after Sewer is Turned-off at Request of Property Owner): Ten dollars (\$10.00) per tap.
5. Administrative Collection Fees:
 - a. Delinquency/Notice of Intent to Turn-off Sewer Service: Ten Dollars (\$10.00)
 - b. Notice of Intent of File Lien: Fifteen Dollars, (\$15.00).
 - c. File Lien Statement: Twenty –Five Dollars, (\$25.00).

H. Trailer courts and multiple units, when attached to the same tap, will be billed to the property owner based upon seventy-five percent (75%) of the water bill per month as measured by a master meter installed on the main line.

I. At any time an account has been delinquent for ten (10) or more calendar days, sewer service may be turned-off to the property upon five (5) calendar days' notice of the Town's intent to turn-off the sewer. Notice of intent to turn-off the sewer is deemed to have been accomplished if a) notice is deposited in the US Mail with sufficient postage affixed, addressed to the property owner at his address for billing purposes, or b) notice is deposited in the US Mail with sufficient postage affixed, addressed to the occupant of the premises at the address for billing purposes. (Ord. 1203-002, February 10th, 2004).

13.08.032 Deposit for Service. The Town of Hanna shall establish an account for each parcel of property to which sewer service is provided. All accounts shall be carried in the name of the property owner, tenant, purchaser or lessee (collectively referred to as "occupant") of each parcel of property. As security for payment, the Town of Hanna requires a deposit for each account established after the effective date of this ordinance, payable to the Town of Hanna. The deposit shall be in an amount equal to two (2) months billing for service for the property. The deposit shall be refunded, without interest, to the person making the deposit for the account if the account is current after twelve (12) months of service and there have been no service or other charges assessed on the account during the twelve (12) month period. The deposit may be applied to the delinquent account at the time of turn-off of services and to any other amounts, other than criminal fines assessed by the Municipal Court, owed to the Town, regardless of the nature of the indebtedness.

Service to any property which has been turned-off due to delinquency maybe reinstated upon payment of a deposit equal to two (2) months billing for service for the property. (Ordinance 271, October 1998).

13.08.040 Payment of Tap Fees Required Prior to Connections:

Procedures.

- A. The Town Council has the authority to set tap fees for connecting to the sewer main from time to time by ordinance. The sewer tap shall be paid to the Town Clerk and a work order issued by the Town Clerk prior to making any connection whatsoever to the sewer main. The work order shall be issued for a specific person on a specific property which may be described by street address and shall not be transferable to other property nor to another person. No sewer service shall be provided until the sewer tap fee is paid in full.
- B. After payment of the estimated cost of making the tap and issuance of a work order, the Town of Hanna will tap the sewer main, run the lateral sewer line from the sewer main to the property line. All materials and fixtures required to bring sewer service to the property line shall be furnished by the Town. Thereafter, the property owner shall be responsible for running and connecting sewer service from the Town's sewer lines into his property.
- C. The tap fee is as follows:
 - 1. \$750.00 for single residential or commercial connections.

2. \$750.00 for the first unit plus \$50.00 per unit for each additional unit for multiple residential or commercial connections.(Ord. 0905-004 01/10/06)

13.08.050 Unpaid Sewer Bills and Tap Fees to Become Lien on Property--Foreclosure of Unpaid Bills and Fees:

A.

Any account which is delinquent for ten (10) calendar days or more shall become a lien upon the property benefitted by the sewer services furnished after the following steps have been taken:

1. The Town of Hanna shall give ten (10) calendar days' notice, in writing, to the property owner at his address for sewer billing purposes, of its intent to file a lien against the property. Such notice shall reasonably describe the property and set forth the amount claimed by the Town. The street address shall be sufficient to describe the property in the notice.
2. After expiration of the ten (10) day notice, the Town shall file a lien statement, properly acknowledged and containing a true legal description of the property, in the Office of the County Clerk and Ex-Officio Register of Deeds, Carbon County, Wyoming.
3. Upon the filing of the lien statement, the lien shall be considered a lien on the property for all purposes.

B.

Any such lien may thereafter be foreclosed by appropriate action in a court of competent jurisdiction or in the manner provided by law for the foreclosure of a mortgage by advertisement and sale as set forth in the Wyoming Statutes as amended from time to time.

C.

The Town may, at its option, concurrently pursue turning off sewer service to the property and establishing a lien. These remedies are cumulative, not elective. In addition, the Town may, at its option, pursue collection of the debt in any manner allowed by law at any time after a bill becomes delinquent.

13.08.060 Extension of Facilities. The Town of Hanna will not approve any further plats nor permit any further development in the un platted portion of the Town of Hanna or in any property annexed unless and until the owners of the property shall agree to install sewer main from the existing town sewer system and lateral sewer lines sufficient to provide sewer service to the area to be so platted or developed.

13.08.070 Specifications for Connecting Lines. All sewer lines going from the Town sewer mains to the home, building, or place of use, shall be properly engineered and compatible with the Hanna sewer works system. If the line is polyvinyl chloride, it shall be machine made, first-class, sound and uniform, free from cracks, or other defects. It shall be straight, smooth and shall be intended for the convenience of sanitary and industrial wastes by gravity or at pressure not to exceed twenty-five pounds per square inch. The material shall all be new and shall conform, at a minimum, to the requirements for D 1784 Type 1, Grade 1 of the "Tentative Specifications for Rigid Polyvinyl Chloride Compounds," ASTM designation D-1787-68. Joints shall be of the solvent weld type. Pipe thickness shall be not less than 0.101 inch for four-inch pipe.

13.08.080 Maintenance of private Facilities Generally.

- A. In the event of a broken or frozen sewer line which is located on Town property, the Town may make the necessary repairs to that portion of the consumer line which is located on Town property as soon as practicable. The property owner shall pay all labor and materials reasonably charged by the Town for such repair.
- B. In the event of a broken or frozen sewer line on private property, the property owner shall make the necessary repairs as soon as practicable.
- C. If repairs to a broken or frozen consumer line on private property are not made within a reasonable length of time, considering the elements and availability of repair equipment, the Town may discontinue sewer service.
- D. Only the Town of Hanna, acting through its duly authorized agents and representatives, can discontinue or plug the service line.
- E. The Town of Hanna will be responsible to pay any and all costs for material and labor necessary to maintain and repair municipal sewer lines to and including any sewer main. The property owner, tenant, purchaser, or lessee shall be responsible to pay any and all costs for material and labor necessary to maintain and repair sewer lines from the sewer main to and on his property. (Ordinance 1105-002, January 10th, 2006).

13.08.090 Inspection. Before any connection to the sewer works system is completed, the Town of Hanna shall examine the connecting line to make certain the provisions of this chapter have been met.

13.08.100 Backfill. All sewer connections shall be buried a minimum of six feet below the existing grade and shall be backfilled around and over the pipe for a depth of two feet with fine material and carefully and well tamped. The remainder of the backfilling shall be completed with good material, well tamped, or settled with water or completed in some other workmanlike manner.

13.08.110 Certain Connections Forbidden. No privy vault, cesspool, exhaust from steam, engine, or blow-off from steam boiler shall be connected with the Town sewer works system.

13.08.115 Maintenance of Consumer Service Lines Generally. In the event of a broken or inoperable sewer service line on Town Property, it shall be the duty of the Town to make the necessary repairs as soon as practicable. In the event of a broken sewer service line on private property, it shall be the duty of the property owner to make the necessary repairs as soon as practicable. If repairs to a sewer service line on private property are not made within a reasonable length of time, considering the elements and availability of repair equipment, the Town of Hanna may discontinue service to the property. (Ord. 212, September 8, 1987)

13.08.120 Discharge of Surface Water Sewer works System Prohibited. It is unlawful for any person to connect with the sewer works any drain, or pipe which discharges rain water, cellar, or surface water, acid, alkalis, lye, or other injurious liquids, or the contents of any spring, flowing well, creek, ditch, or other watercourse.

13.08.130 Use of Privies or Cesspools Prohibited. It is unlawful for any person to construct, use or maintain any cesspool, septic tank, or privy located on any lot or real estate within the corporate limits of the Town of Hanna.

13.08.140 Connections to Sewer System Required. It is unlawful for any person to maintain a domicile within the corporate limits of the Town of Hanna unless the structure in which the domicile is maintained is connected with the Town sewer system in accordance with the provisions of this chapter.

13.08.150 Unlawful Acts.

A.

It is unlawful for any person, firm, or corporation, excepting the properly authorized agents, officers or employees of the Town of Hanna, to add, change, alter, or otherwise modify or tamper with the sewer works system within or without the Town of Hanna, to insert taps in any sewer works system, or to otherwise connect or disconnect from the sewer works system.

B.

It is unlawful for any person, firm or corporation, other than the Town of Hanna, to

plug a service line unless that person, firm or corporation has first paid the fee and received a work order from the Town to do so.

C.

It is unlawful for any person to connect onto, or in any manner perform any work upon, any of the mains, or connections related to the sewer works in the Town of Hanna, without first obtaining written permission from the public works director.

D.

It is unlawful for any person to extend sewer pipes or lines from one user or property to another user or property without a special permit granted by the Town of Hanna Town Council.

13.08.160 Violation--Penalty. Any person who violates any provisions of this chapter shall, upon conviction, be guilty of a misdemeanor and subject to the fine as set forth in the General Penalty Provision of the Town of Hanna. Each day of violation or any portion thereof shall constitute a separate offense. (Ord. 271, 1998)

Chapter 13.12UTILITY NON-USER AGREEMENTSSections:

- 13.12.010 Reduced charges for non-users.
- 13.12.020 Non-user agreement.
- 13.12.030 Violation of Non-User Agreement is a misdemeanor

13.12.010 Reduced charges for non-users. The owner of property which uses utility services within the Town of Hanna, which property is not and will not be used as a residence or a business and which will remain completely vacant and unoccupied for a period of time of not less than three (3) consecutive months and not to exceed twelve (12) consecutive months, after appropriately and completely executing and delivering a non-user agreement as provided in Section 13.12.020, may have utility charges to the property reduced to the following:

- A. Sewer: \$ 1.00 per month; and
- B. Landfill: \$ 11.00 per month.

The Town Clerk, Assistant Town Clerk or Mayor are authorized to execute this agreement on behalf of the Town of Hanna without further Council approval. (Ord. 351, April 8th, 2012).

13.12.020 Non-user agreement. Before the reduced charges for non-use of utilities can be extended to a property, the owner of property which uses utility services shall appropriately and completely execute and deliver to the Town Clerk's office, and agree to be bound by the terms of a non-user agreement in substantially the following form:

NON-USER AGREEMENT

THIS NON-USER AGREEMENT is between the Town of Hanna and ("Owner")

THE PARTIES AGREE AS FOLLOWS:

1. _____ ("Owner") is the owner of property within the Town of Hanna at street address: _____. Owner requests the Town of Hanna place the property on non-user status on the terms and conditions stated on this agreement.
2. Owner warrants and represents and promises to the Town of Hanna that the property is not and will not be used as a residence or a business and will remain completely vacant and unoccupied during the time period beginning _____, 20 ____, and continuing until _____, 20 ____, at which time this

agreement expires by its own terms. This agreement be extended one (1) time by a written notice from Owner to Town so long as the extension is received by the Town prior to the expiration date of this non-user agreement and so long as the total period of non-use does not exceed twelve (12) consecutive months.

- 3. The Owner understands the minimum term of a non-user agreement is three (3) consecutive months and that the term cannot exceed twelve (12) consecutive months.

4.

Owner acknowledges and agrees the Town shall make periodic inspections of the property to ascertain whether it is completely vacant and unoccupied during the period stated in paragraph 2. In the event the property is occupied, Owner agrees to pay to the Town the minimum rate in effect for water, sewer and landfill service commencing with the beginning date stated in paragraph 2 and this agreement will immediately be of no force or effect. In addition, Owner acknowledges that the maximum penalty for violation of Section 8.04.110 of the Hanna Municipal Code pertaining to landfill and Section 13.08.190 of the Hanna Municipal Code pertaining to sewers is the sum of not more than Seven Hundred Fifty Dollars (\$750.00) for each violation. Owner further acknowledges that residing in or occupying the property, leasing the property, allowing someone else to use, occupy, or reside on the property or any other occupation or use of the property at any time during the period of non-use stated in Paragraph 1 constitutes a violation of the Hanna Municipal Code for which Owner may be prosecuted.

- 5. Owner wishes to have the sewer and landfill fees decreased for Owner's property for the following reasons:

- 6. Owner can be contacted at the following address and telephone number during the term of this agreement:

- 7. Owner agrees to immediately notify Town of any change in address or phone number.

- 8. Owner understands that as of the end of this agreement full and regular charges shall resume on the property unless 1) a timely extension is received prior to the expiration date of this agreement as allowed in paragraph 2; or 2) a new agreement is signed with the Town of Hanna.

9. This agreement supersedes all prior non-user agreements and becomes effective on the beginning date stated in paragraph 2. (Ord. 289 (part), 2001).

13.12.030 Violation—Penalty. Any person who violates any provisions of this chapter and particularly who violates, during the term thereof, any of the terms and conditions of a non-user agreement which has been delivered to the town, shall, upon conviction, guilty of a misdemeanor, and each day of violation shall constitute a separate offence. (Ord. 211 (part), 1987)

Title 14

(RESERVED)