

ENROLLED ORDINANCE NO. 16-003

AN ORDINANCE AMENDING TITLE 13 “PUBLIC SERVICES” REVISING CHAPTER 13.08.010 “DEFINITIONS”, SECTIONS 13.08.040 “AGREEMENT TO RULES AND REGULATIONS PREREQUISITE TO COMMENCEMENT OF SERVICE”, 13.08.080 “CITY NOT LIABLE FOR BROKEN PIPES OR APPURTENANCES”, 13.08.100 “DISCONTINUANCE OF SERVICE FOR FAILURE TO COMPLY WITH REGULATIONS”, 13.08.200 “FEES-AMOUNT”, 13.08.390 “DEFACING, INJURING, BYPASSING, ETC”, 13.08.400 “METERED CONSUMPTION-RATES”, 13.08.470 “DISCONTINUANCE OF SERVICE FOR FAILURE TO PAY”, AND 13.08.500 “FEE FOR REINSTATING DISCONTINUED SERVICES” OF THE RIVERTON MUNICIPAL CODE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, FREMONT COUNTY, WYOMING:

Sections 13.08.010, 13.08.040, 13.08.080, 13.08.100, 13.08.200, 13.08.390, 13.08.400, 13.08.470, 13.08.500 are hereby amended to read as follows:

13.08.010 Definitions.

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

“Building supply line” means the pipe carrying potable water from the curb stop to the point of service.

“Commercial” means any property or use which is not a residence or combination of residences, specifically excluding industrial property or uses.

“Industrial” means uses and property where water use is an integral part of a manufactured commodity or where water is utilized as a cleaning or cooling agent to a commodity produced.

“Property owner” means the person that has the legal title to the property as determined by the records in the County Courthouse.

“Person” means any real person, individual, partnership, association, corporation or entity which is recognized by law without exclusion of any other type.

“Plant Investment Fee” means a one-time development fee collected to pay for growth related capital expansion costs of water supply, storage, transmission, treatment and distribution facilities.

“Residence” means each dwelling unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

“Residential” means any one or combination of “residence” as defined herein.

“Service line” means a water-carrying conduit which provides water from the municipal distribution system to any curb stop.

“Utility user” means an entity responsible for a utility account, either a property owner or a renter who has paid to the city the appropriate utility deposit.

“Water main” means a pipeline, duly accepted by the city which constitutes an integral part of the distributional system of the city and provides for water service, circulation and transportation.

“Water tap fee” means the payment required for the connection of each residence, commercial occupancy or other use. The term “water tap” and the term “water tap fee” have distinct meanings. Water tap fees may equal or exceed the number of physical “water taps” or connections made to a municipal water main.

“Water utility” means all water and water rights, waterworks and appurtenances thereto, machinery, equipment and supplies used by the city to supply customers with water; provided, however, that the water service line from, but not including, the curb stop to the structure or property served shall be regarded as the property of the owner of the property served therewith. (Ord. 00-006 § 1, 2000; prior code § 29-1)

Section 13.08.040 is hereby amended to read as follows:

13.08.040 Agreement to rules and regulations and failure to comply.

No person may be served with water from the water utility unless he or she agrees to all the rules and regulations of the city pertaining to the use of such water. If any water user fails to comply with the provisions of this chapter, other city ordinances or the rules and regulations of the city, or uses water for a purpose not authorized or in a wasteful manner, the city may immediately discontinue water service until the water user is in compliance and has paid any costs incurred because of his or her noncompliance. (Prior code § 29-4, Prior code § 29-10)

13.08.100 has been moved to Section 13.08.40

Section 13.08.200 is hereby amended to read as follows:

13.08.200 Fees—Amount.

A. The rates established herein and hereafter shall be reviewed by the city council and may be adjusted at such time by resolution of the city council following public notice and hearing on such change. Effective rates will be published on the city website. Billing policies and procedures heretofore adopted by action of the city council are confirmed where not in conflict with this section, and may be supplemented, altered or repealed by motion of the city council.

Section 13.08.390 is hereby amended to read as follows:

13.08.390 Defacing, injuring, bypassing, etc.

It is unlawful for any person to deface, inure, loosen, take apart or otherwise tamper with any water meter or outside remote counter unit, or to adjust or to attempt to adjust the same to reduce the reading thereof, or to conduct water around such meter, or to attempt in any other manner whatsoever to interfere with the correct reading by such meter of the total amount of water furnished the premises where such meter or outside remote counter unit is installed. City employees shall have free access at any reasonable time to all premises supplied with any utility service by the City for the purpose of examination in order to protect the utility service from abuses. (Prior code § 29-40)

Section 13.08.400 is hereby amended to read as follows:

13.08.400 Metered consumption—Rates.

B. The rates established herein and hereafter shall be reviewed by the city council and may be adjusted at such time by resolution of the city council following public notice and hearing on such change. Effective rates will be published on the city website. Billing policies and procedures heretofore adopted by action of the city council are confirmed where not in conflict with this section, and may be supplemented, altered or repealed by motion of the city council. (Prior code § 29-41)

Section 13.08.470 is hereby amended to read as follows:

13.08.470 Discontinuance of service for failure to pay.

If any utility user fails to pay monthly charges imposed pursuant to Section 13.08.400 or Sections 13.12.030 and 13.12.040 of the Riverton Municipal Code within seven calendar days after the due date of that bill, the city may notify the utility user by a delinquency/shut-off notice stating that unless all outstanding charges on that account are paid within seven calendar days after mailing of such notice, the utility user's water may be shut off any time at the city's option. Failure to receive a utility bill does not relieve the obligation to pay for services rendered. (Ord. 11-005 § 1, 2011; Ord. 06-014 § 1, 2006; Ord. 00-006 § 4, 2000; prior code § 29-47)

Section 13.08.500 is hereby amended to read as follows:

13.08.500 Fee for reinstating discontinued services.

In the event a utility user's service is shut off for failure to pay the water charges or for any other reason, except repair work, the water shall not be turned on again unless a reinstatement fee is paid to the city. The reinstatement fee is fifty dollars (\$50.00) if the reconnect is performed during water department normal business hours, seven a.m. to four p.m., Monday through Friday, exclusive of holidays. The reinstatement fee is one hundred fifty dollars (\$150.00) if the reconnect is performed outside of water department normal business hours. (Ord. 00-012 § 1, 2000; Ord. 00-006 § 7, 2000; prior code § 29-49)

PASSED ON FIRST READING May 17, 2016

PASSED ON SECOND READING June 7, 2016

PASSED ON THIRD READING June 21, 2016

PASSED, ADOPTED AND APPROVED this 21st day of June, 2016.

CITY OF RIVERTON

By: _____
John L. Baker
Mayor

ATTEST:

Gloria A. Hardman
Finance Director/Interim City Clerk

ATTESTATION

I, Gloria A. Hardman, Finance Director/Interim City Clerk of the City of Riverton, attest that Ordinance #16-003 was passed, approved, and adopted by the Governing Body of the City of Riverton on the 21st day of June, 2016. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being _____.

Gloria A. Hardman
Finance Director/Interim City Clerk