

TITLE 9

WATER AND SEWER SERVICE

Section

9-1-1	Permit Required
9-1-2	Application
9-1-3	Fees
9-1-4	Installation
9-1-5	Certificate Required
9-1-6	Schedule of Sewer Connection Fees
9-1-7	Definition of Water and Sewer Line Connection
9-1-8	Inspection of Utility Line Installation
9-2-1	Monthly Charges
	9-2-2.1 Delinquent Charges
	9-2-2.2 Payment of Charges and Penalties
9-2-3	Disconnection
9-2-4	Reconnection
9-2-5	Transfer of Permit
9-2-6	Access to Meter
9-2-7	Responsibility for Charges
9-2-8	Tampering with Meter
9-3-1	Standards and Specifications
9-3-2	New Connections
9-3-3	Connect with Well
9-3-4	Ownership
9-4-1	Tampering with Water System
9-4-2	Restrictions and Variations on Use
9-4-3	Care of Water Service Installations
9-4-4	Abandonment of Water Line and Procedure
9-5-1	Improper Deposit of Waste Prohibited
9-5-2	Discharge of Untreated Sewage or Polluted Waters Prohibited
9-5-3	Private Wastewater System Prohibited
9-5-4	Connection to Public Wastewater System Required
9-6-1	Requirements for Private Wastewater Disposal
9-6-2	Same; Permit Required
9-6-3	Same; Inspection
9-6-4	Same; Compliance with State Law and Minimum Lot Size
9-6-5	Same; Connection to Public Sewer Required; When
9-6-6	Same; Operation in Sanitary Manner Required
9-6-7	Same; Applicability of Additional Health Requirements
9-7-1	Connections to Sewer System Prohibited Without Permit

- 9-7-2 Same; Type and Cost of Permits
- 9-7-3 Same; Cost of Connection
- 9-7-4 Same; One Sewer Connection Per Lot; Exception
- 9-7-5 Same; Use of Old Sewer Lines Only After Inspection
- 9-7-6 Same; Construction Requirements
- 9-7-7 Same; Sewer Elevations
- 9-7-8 Same; Connection of Surface Drains Prohibited; Exception
- 9-7-9 Same; Connection Requirements
- 9-7-10 Same; Excavation and Reclamation Requirements
- 9-8-1 Discharge of Certain Water into Sewer System Prohibited
- 9-8-2 Same; Discharge of Storm Water
- 9-8-3 Same; Discharge of Certain Waters or Wastes Prohibited
- 9-8-4 Same; Limitations on Certain Waters and Wastes
- 9-8-5 Same; Powers of the Superintendent
- 9-8-6 Same; Installation of Interceptors
- 9-8-7 Same; Pretreatment of Flow Equalization Facilities
- 9-8-8 Same; Installation of Sampling and Measuring Structures
- 9-8-9 Same; Requirement to Provide Information
- 9-8-10 Same; Measuring and Testing Standards
- 9-8-11 Same; Industrial Exceptions
- 9-9-1 Unlawful Contact with Wastewater Facilities Prohibited
- 9-10-1 Right of City to Enter Property for Administration of this Title
- 9-10-2 Right to Obtain Information from Industry
- 9-10-3 Same; Observance of Safety Rules by City
- 9-10-4 Same; Entry and Use of Easements
- 9-11-1 Definitions
- 9-11-2 Water and Sewer Services Outside the City Limits

Title 9 was recodified by Ordinance 700, effective 10-6-80

Section 1: Purpose. - The purpose of this ordinance shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the wastewater system in the proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and SS), volume, and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance costs to each user or user class. There shall be no free service and all users, including the City, shall be charged.

Section 2: Determining the Total Annual Cost of Operation and Maintenance. - The City of Lander, by its Director of Public Works, shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment, replacement, maintenance, necessary modifications, power, sampling, laboratory test, and a reasonable contingency fund.

Section 3: Determining Each User's Wastewater Contribution Percentage. - The City of Lander, by its Director of Public Works, shall determine each user's average daily volume of wastewater which has been discharged to the wastewater system, which shall then be divided by the average daily volume of all wastewater discharged to the wastewater system, to determine each user's Volume Contribution Percentage. The amount used as the total average daily volume of wastewater shall exclude infiltration and inflow. The City of Lander, by its Director of Public Works, shall determine each user's average daily poundage of five-day 20 degrees C. Biochemical Oxygen Demand (BOD) which has been discharged to the wastewater system, which shall then be divided by the average daily poundage of all five-day BOD discharged to the wastewater system to determine each user's BOD Contribution Percentage.

The City of Lander, by its Director of Public Works, shall determine each user's average wastewater system's average daily poundage of suspended solids, which shall then be divided by the average daily poundage of all suspended solids discharged to the wastewater system, to determine the user's Suspended Solids Contribution Percentage. Each user's Volume Contribution Percentage shall be multiplied by the annual operation and maintenance costs of wastewater treatment of the total volume flow, of the total five-day 20 degree C. BOD and of the Suspended Solids, respectively.

Section 4: Determining a Surcharge System for Users with Excess BOD and SS. - The City of Lander, by its Director of Public Works, will determine the average Suspended Solids (SS) and Biochemical Oxygen Demand (BOD) daily loads for the average residential user. The City of Lander will assess a surcharge rate for all non-residential users discharging wastes with BOD and SS strengths greater than the average residential user. Such users will be assessed a surcharge sufficient to cover the costs of treating such user's above normal strength wastes. Normal strength wastes are considered to be 200 p.p.m. BOD and 215 p.p.m. SS. The surcharge rate structure for such above normal strength waste discharges is set forth in Section 10 (9-2-1(b) herein.

Section 5: Determining Each User's Wastewater Service Charge. - Each non-residential user's wastewater treatment cost contributions, as determined in Section 3 and 4, shall be added together to determine such user's annual wastewater and service charge. Residential users may be considered to be one class of user and an equitable service charge may be determined for each user based upon an equitable service charge estimate of the total wastewater contribution of this class user. The governing body may classify industrial, commercial, and other non-residential establishments, as a residential user, provided that the wastes from these establishments are equivalent to the wastes from the average residential user with respect to

volume, suspended solids, and BOD. Each user's wastewater treatment cost contribution will be assessed in accordance with the rate schedule set forth in Section 10 (9-2-1(b) herein.

Section 6: Review of Each User's Wastewater Service Charge. - The City of Lander, by its Director of Public Works, shall review the total cost of operation and maintenance, as well as each user's Wastewater Contribution Percentage no less often than every two years and will revise the system as necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works. If a significant user, such as an industry, has completed in-plant modifications which would change that user's Wastewater Contribution Percentage, the user can present, at a regularly scheduled meeting of the governing body, such factual information, and the City shall then determine if the user's Wastewater Contribution Percentage is to be changed. The City shall notify the user of its findings as soon as possible.

Section 7: Notification. - Each user will be notified at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

Section 8: Proper Design and Construction of New Sewers and Connections. - The size, slope, alignment, materials of construction of all sanitary sewers and sewer connections, and the methods to be filling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Lander and the State of Wyoming.

Section 9: Validity. - If any section, paragraph, clause or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforcement of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(Section 1-9 Created by Ordinance 748, effective 7-26-83.)

9-1-1. Permit Required. - No water shall be tapped or drawn from the municipal water system except by permit and through a meter issued by the City.

9-1-2. Application. - Application for a water permit shall be made on a form, prescribed by the City Clerk, by the owner of the premises to be served who shall agree to abide by ordinances, regulations and standards relating to water and sewer services.

9-1-3. Fees. - The following fees are payable with the permit application for new connections: *(Section 9-1-3 Amended by Ordinance 978, Effective 3-17-97)*

a) Water Meter Fee - user shall pay to the City a fee equal to the amount expended by the City to purchase the water meter and reader plus an addition fee of \$15.00 for installation of the reader line;

b) Connection Fees -

Meter Size (inches)	Connection Fee (outside city limits)	Connection Fee (within city)
5/8	820.00	\$410.00
3/4	1,350.00	675.00
1	1,750.00	875.00
1 1/2	2,030.00	1,015.00
2	2,950.00	1,475.00
3	3,828.00	1,914.00
4	5,000.00	2,500.00

9-1-4. Installation. - The applicant shall be responsible for providing the following: one copper setting or other approved fitting in a horizontal position and one stop and waste valve before the meter and one behind the meter. The applicant shall also be responsible for acquiring a water meter from the city at the rate specified in Section 9-1-3 and have the same installed by a plumber licensed under the Lander Municipal Code. After installation applicant shall notify the city and have the water meter inspected by the same for proper installations. (*Section 9-1-3 and 9-1-4 amended by Ordinance 875, effective 4-28-92.*)

9-1-5. Certificate Required. - No permit shall be granted without the certification of the Superintendent of Public Works that the water line up to and including the meter connections complies with the provisions of this Title, including regulations, specifications, and standards adopted by the Superintendent of Public Works and the Uniform Plumbing code as adopted by the City.

9-1-6. Schedule of Sewer Connection Fees. - The schedule for fees for connecting to existing City of Lander sewer lines shall be as follows:

Tap Size	Outside <u>City Limits</u>	Inside <u>City Limits</u>
4 inch	\$350.00	\$175.00
6 inch	450.00	225.00
7 inch	550.00	275.00
8 inch	650.00	325.00
9 inch	750.00	375.00
10 inch	850.00	425.00
Plus, each additional inch in diameter thereafter	100.00	50.00

(Section 9-1-6 was created by Ordinance 715, effective 5-12-81.)

9-1-7. Definition of Water or Sewer Line Connection. - A "connection" or "tap" to a City water or sewer utility line within the provisions of this Title shall mean the first connection and use of City water or sewer service to or from an existing service line by any water or sewer user within the City of Lander including, but not limited to, connection to an existing main line by a developer for further residential or commercial development, or connection to an existing service line by an individual residential or commercial user. The specific intent of this Title is to levy a charge upon any such user as above defined, to aid in offsetting and defraying said user's proportionate share of the cost of the total public utility system. In addition to all other charges, when the tapping of or connection to a water or sewer utility line requires the cutting or breaking of the surface of a street or alley, if such work is performed by the City on an emergency basis, the person applying for the permit required by this Section shall be charged actual costs. Any person desiring to cut or break the surface of a street or alley for the purpose of tapping or connecting to a water, sewer, or other utility line shall first obtain a utility excavation permit therefor from the Building Inspector or City Engineering Supervisor, which permit shall be issued at no cost. (Section 9-1-7 was amended by Ordinance 738, effective 1-20-83.)

9-1-8. Inspection of Utility Line Installation. - Licensed plumbing, Class I building, or utility contractors installing water, sewer, telephone or gas utility lines within the City of Lander shall notify the City Building Inspector or City Engineering Supervisor of the time and place of such installation and construction and permit the City Building Inspector or City Engineering Supervisor to inspect the utility lines in place and the bedding material to be used prior to covering the utility lines being installed or constructed and shall notify the City Building Inspector or City Engineering Supervisor subsequent to the bedding of same and permit further inspection in order that the installation or construction will conform to the City of Lander Standards and Specifications. (Section 9-1-8 was amended by Ordinance 738, effective 1-20-83.)

9-2-1. Monthly Charges. - The following charges shall be payable monthly:

(a) A basic demand charge for water service for the forthcoming month as follows:
(Section 9-2-1(a) amended by Ordinance 1140, effective 3/25/08)

	<u>Meter Size (inches)</u>	
	<u>Basic Demand Charge</u>	
	Inside City Limits	Outside City Limits
5.30 Base Rate	5.30	10.60
5/8"	39.35	73.98
3/4"	55.70	104.72
1"	88.38	166.15
1 1/2"	153.61	288.79
2"	218.60	410.97

3"	659.36	1239.60
4"	985.66	1853.04
6"	1640.99	3085.06
8"	2294.99	4314.58

An average charge of \$1.00 per 1,000 gallons (or fraction thereof) for the water used in excess of 12,000 gallons during the preceding billing period.

(b) Commencing on March 1, 1998, the basic demand charge established in this section shall be adjusted annually in accordance with the variation of the Consumer Price Index. On March 1 of each year, or as soon thereafter as is practicable, the city clerk shall determine on that date the annual average for the United States for all items in the Consumer Price Index as published by the United States Department of Labor, Bureau of Labor Statistics, or such other and similar index as may be available and reasonably reliable. At the time of such determination, the city clerk will compare such average as published for March 1 of that year with the average as it was on March 1 of the preceding year. The percentage increase or decrease in said average shall be applied to all dollar amounts of the basic demand charge as then exist. The basic demand charge so determined shall remain in effect until revised pursuant to this chapter.

(c) A charge for sewer service for the preceding billing period as follows:

- (i) Residential users are considered to be one class of user and are assessed a charge of \$9.05 per month per user. Non-residential users with flow no greater than the average residential user's flow of 10,000 gallons per billing period and with BOD and SS no greater than the average residential user's strength of 200 mg/I BOD and 215 mg/I SS will pay a charge of \$11.66 per billing period. *(Amended by Ordinance 1098 effective 5/10/05)*
- (ii) Non-residential users with volumes greater than the average residential user will pay an additional charge of 55 cents per 1,000 gallons or a fraction thereof per billing period for all flows greater than the average residential user's flow of 10,000 gallons per billing period, as measured by the user's actual water usage for the preceding billing period.
- (iii) Any non-residential user with BOD and SS greater than the average residential user's strength of 200 mg/I BOD and 215 mg/I will pay a surcharge in accordance with the rates shown in the surcharge rate structure.
- (iv) The City of Lander, by its Director of Public Works, will determine the average total suspended solids (ss) and five-day biochemical oxygen demand (BOD) daily loadings for the average residential user or, in lieu of such a determination, will consider the average residential strength wastes to be 200 mg/I BOD and 215 mg/I SS. The City will assess a surcharge rate for all non-residential users discharging wastes with BOD and SS

strengths greater than the average residential user. The surcharge, based on proportional composite flow sample, will be sufficient to cover the costs of treating such user's above normal strength wastes. The surcharge shall be \$9.43 per 100 pounds of BOD, and \$5.62 per 100 pounds of SS for all calculated quantities of BOD over 200 mg/I per billing period and SS over 215 mg/I per billing period.

- (v) Any user may at their own expense have installed by the City a sewage flow meter to which the City shall be deemed to have access, for the purpose of accurately measuring sewage flow rather than depending upon the reading of their water meter for purposes of establishing the appropriate charge for sewage flow in excess of 10,000 gallons per billing period and the appropriate surcharge to be made under this section.
- (vi) "Residential user" as used in this section is defined as any sewage use where sewer service is furnished to a structure or a portion thereof used for living purposes or constituting a separate, independent housekeeping unit for permanent residential occupancy whether such dwelling unit is contained in a single or multiple unit structure such as an apartment building or mobile home park. "Non-residential user" as used in this section as defined as any sewage user other than a residential user as defined in this subsection.

(d) One (1) or two (2) persons in a family unit whose gross annual income does not exceed \$15,000 per year and three (3) or more persons in a family unit whose gross annual income does not exceed the current year federal poverty guidelines and a member of the family unit is also the owner of the real property for residential purposes within the City limits and such person(s) has been a resident of Lander for a period of not less than one year immediately preceding the filing of an application under this Section, and who is legally responsible by statute and/or ordinance for the payment of water and sewer services provided to such real property by the City of Lander, may make application to the City Clerk on or before April 1st of each calendar year for a maximum 50% reduction in water and sewer rates to be levied upon such real property for the ensuing calendar year pursuant to the following provisions of this subparagraph:

- (i) Such application shall be under oath and upon forms prescribed by the City Clerk with the approval of the City Council.
- (ii) Such application shall certify that the annual gross income of the applicant and all members of the family unit who are over the age of 18 years of the residence in which he, she or they reside for the ensuing year is not reasonably anticipated to exceed a total which, if considered as being the sole income of the applicant, would disqualify such applicant for eligibility for refunds.
- (iii) Copies of all adult members of the family unit last two years income tax return must be provided with the application. Upon applicant meeting the eligibility of this section to the satisfaction of the City Clerk or his/her designee, the City Clerk shall certify the applicant's eligibility to the appropriate City authority, and the utility rates shall be appropriately

reduced for such property for the ensuring calendar year only according to the following formula:

- (1) One or two persons in a family unit (including that of persons residing in the household over 18 years of age) whose combined gross annual income does not exceed \$15,000 per year and three or more persons in a family unit whose gross annual income (including that of persons residing in the household over 18 years of age) is less than the maximum amount permissible for eligibility under the current year Federal Poverty Guidelines as the same exists for that year or may hereafter be constituted, shall receive a maximum of 50% discount reduced by the percentage that the applicant's actual income (including that of persons residing in the household over 18 years of age) that exceeds 80% of the maximum income level stated above as the same now exists or may hereafter be constituted, at which such person would be eligible to receive the maximum refund possible under that Section.
- (2) Qualified married person, at least one of whom is at least 65 years of age or totally disabled, whose actual income (including that of persons residing in the household over 18 years of age) is less than the maximum amount for eligibility stated above, shall receive a 50% discount reduced by the percentage that the applicant's actual income (including that of persons residing in the household over 18 years of age) that exceeds 80% of the maximum income level stated above as the same now exists or may hereafter be constituted, at which such person would be eligible to receive the maximum refund possible under that Section.
- (3) A married or single person between the ages of 18 and 65 exclusive, who is not disabled, but is otherwise qualified pursuant to Subsection (d)(i) hereof and whose actual income (including that of persons residing in the household over 18 years of age) is less than the maximum amount permissible for eligibility as stated above as the same now exists or may hereafter be constituted, shall receive a 50% discount reduced by the percentage that the applicant's actual income (including that of persons residing in the household over 18 years of age) that exceeds 80% of the maximum income level stated above as the same now exists or may hereafter be constituted, at which such person would be eligible to receive the maximum refund possible under that Section. *(Section 9-2-1(d) amended by Ordinance 1106, effective September 27, 2005)*

9-2-2.1. Delinquent Charges. - Monthly charges not paid within 20 days of the billing date are deemed delinquent and a delinquency charge of 5% of the unpaid amount or \$10,

whichever is greater will be charged after the 20th of the month. In such circumstances, the City may shut off the water upon days' notice to the permit holder. After shut off, water service shall be resumed only upon payment of all charges due, together with the sum of \$40.00 for the costs incurred in shutting the water off, sending notice and turning the water on. (*Section 9-2-2.1 amended by Ordinance 1079 effective 5-2-04*)

9-2-2.2. Payment of Charges and Penalties. - The City shall submit monthly statements to the user for one-twelfth of the user's annual wastewater service charge with the monthly water utility billing. The City shall add a penalty of one percent per month if the payment is not received by the City within 20 days. Should any user fail to pay the statement and penalty within three months of the due date, the City, upon ten days' prior notice to the user, may stop the water and wastewater service to the property.

9-2-3. Disconnection. - Any permit holder may request that his meter be disconnected. Upon payment of a disconnect fee of \$15 and any accrued charges, the City shall remove the meter. Accrued charges shall be figured as all past due charges adjusted by a pro rate credit for the unused portion of the prepaid basic demand charge. Such adjustment shall be limited to an amount reflecting the unused portion of the 10,000 gallons basic allowance. In the event the basic allowance has been exceeded, the permit holder shall pay for any overage.

9-2-4. Reconnection. - Any service disconnected under section 9-2-3 may be reconnected upon payment of a reconnect fee of \$15 and the basic demand charge, pro-rated to the beginning of the next billing cycle.

9-2-5. Transfer of Permit. - A water permit may be transferred to a new owner of the premises served upon payment of all accrued charges and a transfer fee of \$10.

9-2-6. Access to Meter. - The City shall have the right to inspect the meter at all times.

9-2-7. Responsibility for Charges. - The permit holder shall be responsible for all charges incurred under this Title. Unpaid charges shall also constitute a lien upon the premises served.

9-2-8. Tampering with Meter. - No person shall tamper with any meter, or alter any connection so that the meter does not accurately measure the water drawn from the municipal system.

9-3-1. Standards and Specifications. - The Superintendent of Public Works shall adopt standards and specifications for the construction of water and sewer connections, subject to the approval of the City Council. A copy of the adopted standards and specifications shall be filed with the City Clerk.

9-3-2. New Connection. - All new connections to the municipal water and sewer system shall be made at the expense of the owner of the premises benefited and shall conform to standards and specifications adopted by the Superintendent of Public Works.

9-3-3. Connect with Well. - No person shall connect any water system drawing water from the municipal water supply with a system drawing water from a well not owned by the City.

9-3-4. Ownership. - The owner of the premises shall be responsible for any damage to the meter, but the meter shall remain the property of the City. The remainder of the water and sewer connection up to the mains shall belong to the owner of the premises.

9-4-1. Tampering with Water System. - No person shall open any fire hydrant, or alter any valves, or otherwise tamper with the municipal water system, except as authorized by the City.

9-4-2. Restrictions and Variations on Use. - The use of water may be restricted by the Fire Chief or the Mayor due to fire or the Mayor may authorize variations of water use to conserve the water supply, or in certain areas to prevent freezing water lines.

9-4-3. Care of Water Service Installations. - The owner, and the occupant of the property or premises served by each municipal water service line and the person making use of the same from time to time, are responsible from the main line to the premises served for continued care, maintenance, protection, preservation and when necessary the replacement of the curb box and shut-off valve and for maintaining the location and accessibility of the installation and keeping the curb box at all times clean and on grade and are responsible for any damages which may be occasioned by malfunction of the installation or leak of the service line. In event such persons do not discharge such continuing responsibility, the City may furnish the necessary materials and cause the necessary work to be done and all costs and expenses incurred by the City in the course thereof shall be charged to the persons responsible therefore, or any of them and shall be added to the bill for water rentals accruing for water service through the line. The water service through the line may be turned off until such costs and expenses shall be paid to the City in full. *(Created by Ordinance 858, effective 6-11-91.)*

9-4-4 - Abandonment of Water Line and Procedure –

- (a) The owner, his successors and the occupant of the property or premises served by each municipal water service line shall remain responsible for the service line as provided for in Section 9-4-3 hereof until such time as the service line has been properly abandoned as provided for herein. Any owner or occupant that desires to abandon a service line shall first notify the City of Lander Water Department of his intent. In order to properly abandon the service line, it shall be disconnected from the main and capped at the main or other location approved by the City Water Department. Upon completing the cap, the City Water Department shall be notified to inspect and approve the same. Once approved by the City, the owner and occupant shall be relieved of the responsibilities set forth in Section 9-4-3 with regards to the line abandoned. All costs incurred in the abandonment shall be the responsibility of the owner of the property.

(b) any owner or occupant of property who is aware of an abandoned service line currently existing on this property shall provide written notice to the City of Lander of the abandoned line and its approximate location on this property and shall disclose the fact of an existing abandoned service line on any subsequent transfer of the property. (*Section 9-4-4 was created by Ordinance 1048 effective 3/26/02*)

9-5-1. Improper Deposit of Waste Prohibited. - It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Lander, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.

9-5-2. Discharge of Untreated Sewage or Polluted Waters Prohibited. - It shall be unlawful to discharge to any natural outlets within the City of Lander, or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

9-5-3. Private Wastewater System Prohibited. - Except as hereinafter provided or as otherwise provided by the regulations and ordinances of the City of Lander, it shall be unlawful to construct or maintain any privy, vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

9-5-4. Connection to Public Wastewater Systems Required. - The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is not located or may in the future be located a public sanitary or combined sewer of the City, is hereby required at the owners expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provision of this ordinance within 30 days after date of official notice to do so, provided that said public sewer is within 300 feet of the property line.

9-6-1. Requirements for Private Wastewater Disposal. - Where a public sanitary or combine sewer is not available under the provisions of Section 9-5-4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this chapter.

9-6-2. Same; Permit Required. - Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit signed by the superintendent. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement with any plans, specifications and other information as is deemed necessary by the superintendent. A permit and inspection fee as adopted by Section 3-5-1(a) of the City of Lander Municipal Code shall be paid to the City at the time the application is filed.

9-6-3. Same; Inspection. - A permit for a wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent and in compliance with the City of Lander Municipal Code. The superintendent shall be allowed to

inspect the work at any stage of construction and in any event, the applicant for the permit shall notify the superintendent when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the superintendent.

9-6-4. Same; Compliance with State Law and Minimum Lot Size. - The type, capacity, location and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Public Health of the State of Wyoming. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than one acre. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

9-6-5. Same; Connection to Public Sewer Required; When. - At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within 60 days in compliance with this ordinance, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

9-6-6. Same; Operation in Sanitary Manner Required. - The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the City.

9-6-7. Same; Applicability of Additional Health Requirements. - No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the superintendent and the City of Lander Municipal Code.

9-7-1. Connections to Sewer Prohibited Without Permit. - No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.

9-7-2. Same; Types and Cost of Permit. - There shall be two classes of building sewer permits: (a) for residential and commercial service; and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specification, or other information considered pertinent in the judgement of the superintendent. A permit and inspection fee for residential or commercial building sewer permits as adopted in Section 9-1-6 of the City of Lander Municipal Code shall be paid to the City at the time the application is filed.

9-7-3. Same; Cost of Connections. - All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

9-7-4. Same; One Sewer Connection Per Lot; Exception. - A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. In such event, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

9-7-5. Same; Use of Old Sewer Lines Only After Inspection. - Old building sewers may be used in connection with new buildings only when, on examination and test by the superintendent, they are found to meet all requirements of this Title.

9-7-6. Same; Construction Requirements. - The size, slope, alignment, materials of construction of all sanitary sewers, including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and the State of Wyoming. In the absence of suitable code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice Number 9 shall apply.

9-7-7. Same; Sewer Elevation. - Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

9-7-8. Same; Connection of Surface Drains Prohibited; Exception. - No person shall make connection of roof downspouts, foundation drains, areaway drain, or other sources of surface run off or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the superintendent and the Wyoming State Department of Health for purposes of disposal of polluted surface drainage.

9-7-9. Same; Connection Requirements. - The connections of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and the State of Wyoming, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice Number 9. All such connections shall be made gas tight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installations.

9-7-10. Same; Excavation and Reclamation Requirements. - All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

9-8-1. Discharge of Certain Water into Sewer System Prohibited. - No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, ground water, roof runoff, subsurface drainage, or cooling water to any sewer, except storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer in compliance with the City of Lander Municipal Code and permission of the superintendent and the Wyoming Department of Health.

9-8-2. Same; Discharge of Storm Water. - Storm water, other than that exempted under Section 9-8-1, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the superintendent and the Wyoming State Department of Health. Unpolluted industrial cooling water or process waters may be discharged, on approval of the superintendent, to a storm sewer, combined sewer, or natural outlet.

9-8-3. Same; Discharge of Certain Waters or Wastes Prohibited. - No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers:

(a) any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;

(b) any waters containing toxic or poisonous solids, liquids or other wastes, to contaminate the sludge of any sewage treatment process, constitute a hazard in or have an adverse effect on the waters receiving any discharge from the works. Each user who discharges any toxic pollutant which cause an increase in the cost of managing the effluent or the sludge of the City of Lander treatment works shall pay for such increased costs;

(c) any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works; and

(d) solid or vicious substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities, such as, but limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

9-8-4.- Same; Limitations on Certain Waters and Wastes. - The following described substances, materials, waters and wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, the sludge of any municipal system, or the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The superintendent may set limitations lower than the limitations established in the regulations below if, in his opinion, such more severe limitations are necessary to meet the above

objectives. In forming his opinion as to the acceptability, the superintendent will comply with the City of Lander Municipal Code and give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the superintendent are as follows:

(a) wastewater having a temperature higher than 150 degrees F. (65 degrees C.);

(b) wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin;

(c) wastewater from industrial plants containing floatable oils, fat, or grease;

(d) any garbage that has not been properly shredded (see Section 9-11-1(m)). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers;

(e) any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater treatment works exceeds the limits established by the superintendent for such materials;

(f) any waters or wastes containing odor-producing substances exceeding limits which may be established by the superintendent;

(g) any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable State or Federal regulations;

(h) quantities of flow, concentrations, or both which constitute a "slug" as defined herein;

(i) waters or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters; and

(j) any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

9-8-5. Same; Powers of the Superintendent. - If any waters or wastes are or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 9-8-4, and which in the judgement of the superintendent and in compliance with the City of Lander Municipal Code may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard of life or constitute a public nuisance, the superintendent may:

- (a) reject the wastes;
- (b) require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) require control over the quantities and rates of discharge; and/or
- (d) require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 9-8-11.

If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the superintendent and in compliance with the City of Lander Municipal Code and the Wyoming State Department of Health.

9-8-6. Same; Installation of Interceptors. - Grease, oil, and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in Section 9-8-4(c), or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent and the Uniform Plumbing Code as adopted by the City of Lander, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by owner's personnel must be performed by currently licensed waste disposal firms.

9-8-7. Same; Pretreatment of Flow Equalization Facilities. - Where pretreatment or flow-equalization facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

9-8-8. Same; Installation of Sampling and Measuring Structures. - When required by the City of Lander Municipal Code and the superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structures, when required, shall be accessibly

and safely located, and shall be constructed in accordance with plans approved by the superintendent. The structure shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

9-8-9. Same; Requirement to Provide Information. - The City of Lander Municipal Code and the superintendent may require a user of sewer services to provide information needed to determine compliance with this Title. These requirements may include:

- (a) wastewater's discharge peak rate and volume over a specified time period;
- (b) chemical analysis of wastewaters;
- (c) information on raw materials, processes, and products affecting wastewater volume and quality;
- (d) quantity and disposition of specific liquid, sludge, oil, solvent, or the materials important to sewer use control;
- (e) a plot plan of sewers on the user's property, showing sewer and pretreatment facility location;
- (f) details of wastewater pretreatment facilities; and
- (g) details of systems to prevent and control the losses of materials through spills to the municipal sewer.

9-8-10. Same; Measuring and Testing Standards. - All measurements, test, and analysis of the characteristics of waters and wastes to which reference is made in this Title shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis, subject to approval by the superintendent and in compliance with the City of Lander Municipal Code.

9-8-11. Same; Industrial Exceptions. - No statement contained in the Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment.

9-9-1. Unlawful Contact with Wastewater Facilities Prohibited. - No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the wastewater facilities. Any person violating this provision upon being convicted shall be punished in accordance with Section 1-2-1 of the City of Lander Municipal Code.

9-10-1. Right of City to Enter Property for Administration of this Title. - The superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provision of this Ordinance.

9-10-2. Right to Obtain Information from Industry. - The superintendent or other duly authorized employee is authorized to obtain information concerning industrial processes which have direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

9-10-3. Same; Observance of Safety Rules by City. - While performing the necessary work on private properties referred to in Section 9-10-1 of the City of Lander Municipal Code, the superintendent or duly authorized employee of the City shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless from injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 9-8-8 of the City of Lander Municipal Code.

9-10-4. Same; Entry and Use of Easements. - The superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and a maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

9-11-1. Definitions. - Unless the context specifically indicates otherwise, the meaning of terms used in this Title shall be as follows:

(a) "**Biochemical oxygen demand (BOD)**" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20 degrees C., expressed in milligrams per liter.

(b) "**Building drain**" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

(c) "**Building sewer**" shall mean the extension from the building drain to the public sewer or other place of disposal; also called house connection.

(d) "**Combined sewer**" shall mean a sewer intended to receive both wastewater and storm or surface water.

(e) "**Easement**" shall mean an acquired legal right for the specific use of land owned by others.

(f) "**Floatable oil**" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

(g) "**Garbage**" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

(h) "**Industrial waste**" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

(i) "**Natural outlet**" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or ground water.

(j) "**May**" is permissive.

(k) "**Person**" shall mean an individual, firm, company, association, society, corporation, or group.

(l) "**pH**" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and hydrogen-ion concentrations of 10^{-7} .

(m) "**Properly shredded garbage**" shall mean the wastes

from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

(n) "**Public sewer**" shall mean a common sewer controlled by a governmental agency or public utility.

(o) "**Sanitary sewer**" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

(p) "**Sewage**" is the spent water of a community. The preferred term is wastewater.

(q) "**Sewer**" shall mean a pipe or conduit that carries wastewater or drainage water.

(r) "**Shall**" is mandatory.

(s) "**Slug**" shall mean any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

(t) "**Storm drain**" (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, ground water, subsurface water, or unpolluted water from any source.

(u) "**Superintendent**" shall mean the Director of Public Works of the City of Lander, or his authorized deputy, agent or representative.

(v) "**Suspended solids**" shall mean total suspended matter that either floats on the surface of or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

(w) "**Unpolluted water**" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

(x) "**Wastewater**" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes

from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water, and storm water that may be present.

(y) "**Wastewater facilities**" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

(z) "**Wastewater treatment works**" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used synonymously with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant."

(aa) "**Watercourse**" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

9-11-2. Water and Sewer Service Outside the City Limits.

(a) Except as provided herein, water and/or sewer service shall not be provided to locations outside the City limits.

(b) Nothing herein shall preclude extending water or sewer service outside the City limits, on any terms negotiated, to property owners or their successors who have transferred or granted to the City any right-of-way, easement or other property right utilized for construction, operation or maintenance of utility service.

(c) Nothing herein shall cause the termination of existing water or sewer service, outside the City limits, on the effective date of this ordinance, provided such service is lawfully established on such date, nor shall herein preclude service, outside the City limits, to any governmental entity.

(d) At its absolute discretion, the Governing Body may authorize water and sewer service to locations outside City limits. Any such service shall be subject to the following conditions, in addition to all other requirements of law, and a violation of the following conditions shall be cause for the immediate discontinuance of such service.

(1) All water and sewer charges shall be as set forth in Section 9-2-1; (*Section 9-11-2 (d) amended by Ordinance 950, effective 4-17-97*)

(2) All such service shall be subject to shut-off, upon 10 days notice, in the event, because of a water shortage, an adequate supply of water is not available for City residents. The Governing Body which reserves, at its absolute discretion, to declare a water shortage;

(3) All water or sewer systems shall be approved by the Governing Body. No additions, extension, additional services or sub-service lines shall be added without consent of the Governing Body. The Governing Body reserves the right to

approve or disapprove such additions at its absolute discretion. No person receiving City water or sewer service shall sell such service to another, except as such service may run with the land;

(4) That the owner of any such property served, and his successors, shall execute a statement of intent to annex, and a consent to annexation; and cooperate fully with annexation when the same becomes legal and practicable. All contracts for such water or sewer service shall be subject to biennial review to the legality and practicability of annexation;

(5) All lines, service lines, fixtures and appurtenances used to connect to the City system, shall conform to and meet City standards and specifications, both with regard to original installation and replacement parts;

(6) That any applicant for water or sewer service outside City limits, shall first make application to the City Planning Commission and that said commission shall review said application and make its recommendation to the Governing Body.

(Section 9-11-2 was created by Ordinance 817, effective 1-12-88.)