

178 – ORDINANCE NO. 2008-34

AN ORDINANCE TO REPEAL AND OR REPLACE 150-ORDINANCE NO. 2007-06 and 107-ORDINANCE NO. 2004-04 AND TO ESTABLISH AN ORDINANCE REGULATING SEWER CONNECTION FEES, SEWER USAGE RATES, AND SEWER BILLING AND COLLECTION POLICY.

Section I: Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining g portions of the ordinance.

Section II: Effective Date.

This ordinance will establish an effective date at its passing on the third and final reading.

Section III: Connection Requirements

A. Pre-existing Septic Systems.

A sewer connection shall be installed within one hundred and twenty (120) days of receipt of notice from the Town Council that the new Waste Water Treatment Plant and Expanded Sewer Collection System is available to accept waste for those users within the Phase I Sanitary Sewer Expansion Project Area whose sewage waste is currently treated by a private septic system older than fifteen (15) years or for users of any private septic system which fails to operate effectively. See 170-Ordinance No. 2008-26. The Phase I Sanitary Sewer Expansion Project Area is shown on Exhibit B attached hereto, and incorporated by reference herein.

B. New Construction in areas currently serviced by a public sewer main as of the effective date of this Ordinance.

A sewer connection will be made available after the building application process has been completed, a building permit issued, and all sewer hookup fees have been paid in full. Sewer hookup fees will be assessed on an ERU (Equivalent Residential Unit) basis as indicated in Exhibit A attached hereto and incorporated herein by reference, and as it may be modified from time to time.

Notwithstanding the provisions below, a sewer connection must be utilized by **all** originally assessed ERU's within one year from the date on which fees are paid. In the event that the sewer connection has not been made, placed in operation and utilized by **all** originally assessed ERU's within one year, the applicant will be assessed a monthly readiness-to-serve fee equivalent to the current monthly sewer use fee charged all Town residents for those ERUs originally assessed, though not used at that time. In the event that the sewer connection has not been made, placed in operation and utilized by **all** originally assessed ERU's within two years, the applicant shall continue to pay the monthly readiness-to-serve-fee as described above, and shall also pay any differential between the original sewer hookup fee and the hookup fee applicable at the end of the two year period. Failure to pay any applicable readiness-to-serve fee or increased sewer hookup fee will be cause for revocation of the portion of the original building permit applicable to unused ERU's, and no refunds for any previously paid readiness-to-serve fees or sewer hookup fees will be provided.

- C. New Construction on undeveloped lots in the Phase I Sanitary Sewer Expansion Project Area, as shown on Exhibit B attached hereto and incorporated by reference herein. A sewer connection will be made available after the Expansion Project is completed, preliminarily scheduled for June-July, 2009, and after the building application process has been completed and all sewer hookup fees have been paid in full. Sewer hookup fees will be assessed on an ERU (Equivalent Residential Unit) basis as indicated in Exhibit A attached hereto, and as it may be modified from time to time.

Beginning at the effective date of this ordinance, no further septic tank permits will be issued within the confines of the Phase I Sanitary Sewer Expansion Project. Occupancy of newly constructed structures shall not occur until the Sewer Expansion Project and the new Wastewater Facility are able to accept sewage, unless the applicant chooses to install a temporary watertight wastewater holding tank, which can be pumped as necessary to maintain continuous service. Maintenance and operation of the temporary holding facility, and all costs thereof, shall be the total responsibility of the applicant. After the Expansion Project is complete and operational, and Notice is provided to the Applicant by the Town, the applicant shall have 45 days to remove the holding tank and connect to the operable sewer. Monthly sewer use fees will be assessed from the date the connection is completed.

All provisions of Section III B above apply to new construction within this category.

- D. Fee increase to 7,500

New Connection Fee

1. New Connection Fee

As of January 1, 2009 a sewer connection fee shall be \$7,500 per single equivalent residential unit (ERU). The cost of connection for non-residential users will be calculated as multiples of ERUs as appropriate. Fees for lots in the Phase I Sanitary Sewer Expansion Project Area shall increase to \$7,500 per single ERU on April 1, 2009 as those lots will not have sewer services available as of January 1, 2009.

2. Prepay

2.1 Any lot owner that currently has sewage treatment through an onsite septic tank/leach field and currently has public sewer service available may prepay their sewer connection fee prior to January 1, 2009 and pay the current fee of \$5,000 per ERU. Such properties shall be required to properly abandon the existing septic tank/leachfield and connect to the sewer sanitation system within 120 days of Notice from the Town Council that the new Waste Water Treatment Plant (WWTP) and sewage collection system are available to accept waste. Should a user not connect to the sewer sanitation system within 120 days of notice to do so, in addition to such penalties described in 170-Ordinance No. 2008-26, such user shall pay a monthly "readiness to serve fee" equal to the monthly user fee for waste disposal into the sewer sanitation system for each month that user is not connected after the 120 day grace period has passed.

2.2 Any lot owner that currently has sewage treatment through an onsite septic tank/leach field and will have sewer service provided by the Town of Alpine under the Phase I Sanitary Sewer Expansion Project may prepay their sewer connection fee prior to April 1, 2009 and pay the current fee of \$5,000 per ERU. Such properties shall be required to properly abandon the existing septic tank/leachfield and connect to the sewer sanitation system within 120 days of Notice from the Town Council that the new Waste Water Treatment Plant (WWTP) and sewage collection system are available to accept waste. Should a user not connect to the sewer sanitation system within 120 days of notice to do so, in addition to such penalties described in 170-Ordinance No. 2008-26, such user shall pay a monthly "readiness to serve fee" equal to the monthly user fee for waste disposal into the sewer sanitation system for each month that user is not connected after the 120 day grace period has passed.

2.3 New construction on lots that currently have public sewer service available may prepay the sewer connection fee prior to January 1, 2009 at the current fee of \$5,000 per ERU.

2.4 New construction on lots that will have service provided by the Town of Alpine under the Phase I Sanitary Sewer Expansion Project may prepay the sewer connection fee prior to April 1, 2009 at the current fee of \$5,000 per ERU.

2.5 All provisions of Section III B above apply to new construction within Sections 2.3 and 2.4 above.

Section IV: Town Supervision

The Town of Alpine shall be notified at least twenty-four (24) hours in advance of any excavation relating to a connection to the Town's collection system. A Town representative shall be present at the time the physical connection is made between the Town-installed service pipe and the property owner-installed pipe at the property line, to insure that no dirt or foreign material enters the system at the time the connection is made and such Town representative shall conduct a final inspection upon completion of the hookup before any backfilling is done.

Maintenance of the entire service line from the house to the street main, including the mainline tap, is the sole responsibility of the property owner. Town sewer maintenance responsibility is limited to the street main line only.

The connection provided by the Town will include tap, saddle (if needed) and the pipe to the property line. Property owner will then be responsible for actual hook up to home / business. Any and all extra services and or parts while connecting to sewer will be at the owner's expense. (labor, sand, gravel, backhoe use.)

1. It is mandatory that the pipe be minimum four (4) inches in diameter, PVC ASTM 3034, SDR 35.
2. All joints shall be gasketed.
3. Service line recommended grade is ¼ inch per foot (2%).
4. Service line can only service one building / residence unless an approved variance is provided by the Town of Alpine.
5. Roof downspouts, interior and exterior foundation drains, sump pumps discharging unpolluted water or other sources of surface runoff or groundwater cannot be connected to the sewer system.
6. A cleanout must be provided outside any residence / building terminating six (6) inches above ground level with an appropriate cap.

7. Service line is to be laid on a four (4) inch bed of sand and covered with four (4) inches of sand.

Unauthorized access or tampering with this equipment is a class C misdemeanor and shall be punishable as provided in ORDINANCE 95-ORDINANCE NO. 2203-08, 95-01-C in the Town Municipal Court Ordinance Book as it may be amended from time to time.

Ordinance 170 – ORDINANCE NO. 2008-26 provides any and all other requirements, penalties, definitions, prohibitions to the Town of Alpine Sewer System and Treatment Plant.

Section V: Billing and Collection Policy.

AS OF June 30, 2008, MONTHLY SEWER RATES SHALL BE \$36.00 PER ERU (Equivalent Residential Unit). The monthly cost for non residential users will be calculated as multiples of ERUs as indicated in Exhibit A attached hereto, and as it may be modified from time to time.

Billing for sewer will be for the first full month after installation of the service and shall be billed monthly thereafter.

Bills will be mailed to all customers no later than the fifth (5th) day of the following month. Payment will be due on the fifteenth (15th) of the following month. Payments received after the twenty – fifth (25th) will be assessed a five dollar late charge. Accounts that become sixty (60) days delinquent will be mailed a disconnect notice that will be executed fifteen (15) days after mailing. Should payment be made during the fifteen (15) days, no additional fees will be imposed and no additional action will be taken. Should payment not be made within fifteen (15) days of the mailing of the disconnect notice, the Town shall disconnect water service to the lot in question. The Lot owner will be assessed an hourly fee plus equipment costs for turning water service off. Water service will be reinstated only upon full payment of delinquent balance and an additional one hundred dollar (\$100.00) connection fee.

A service fee of thirty dollars (\$30.00) will be charged for any and all returned checks. This fee will be added to the users account or as determined by the Treasurer.

Section VI: Transfer Fee.

Where existing service is in place a transfer fee of one hundred fifty dollars (\$150.00), and an application for sewer/water service will be required along with a deed to the property showing current ownership of the property.

Section VII: Refunds / Waiver of Fees.

All fees are non-refundable. There will be **NO** waiver of fees. If a sewer connection is not made within the above stated mandatory time period and the applicant re-applies for a sewer connection fee on that same lot, the amounts already paid shall be applied to the new fee in place at the time of the reapplication.

Section VIII: Additional Fees.

If any of the above fees do not fully cover the total costs of processing any application and or sewer hook-up additional fees may be assessed on a case by case basis.

Section IX: This ordinance passed and approved on the following dates:

Passed on the First Reading on the 15th day of April, 2008.

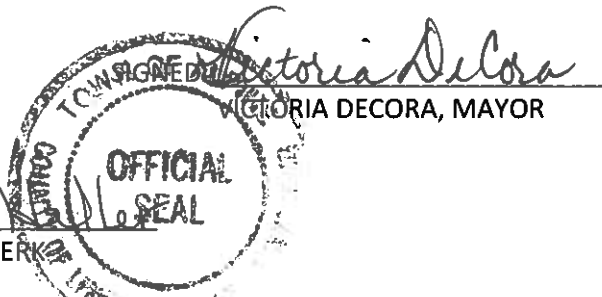
VOTE: 4 YES 0 NO 1 ABSTAIN 0 ABSENT

Passed on the Second Reading on the 15th day of April, 2008.

VOTE: 3 YES 0 NO 1 ABSTAIN 1 ABSENT

Passed and approved on the Third Reading on 16th day of May, 2008.

VOTS: 3 YES 1 NO 1 ABSTAIN 0 ABSENT



ATTEST: Whitney Heller
WHITNEY HELLER, CLERK

ATTESTATION OF THE TOWN CLERK

STATE OF WYOMING)
COUNTY OF LINCOLN)
TOWN OF ALPINE)

I hereby certify that the forgoing Ordinance No. 178 was duly posted for ten (10) days in the Town Clerk's Office.

I further certify that the forgoing Ordinance was duly recorded in the BOOK OF ORDINANCES IV, TOWN OF ALPINE, LINCOLN COUNTY, WYOMING.

ATTEST:


Whitney Heller
WHITNEY HELLER, CLERK

TOWN OF ALPINE

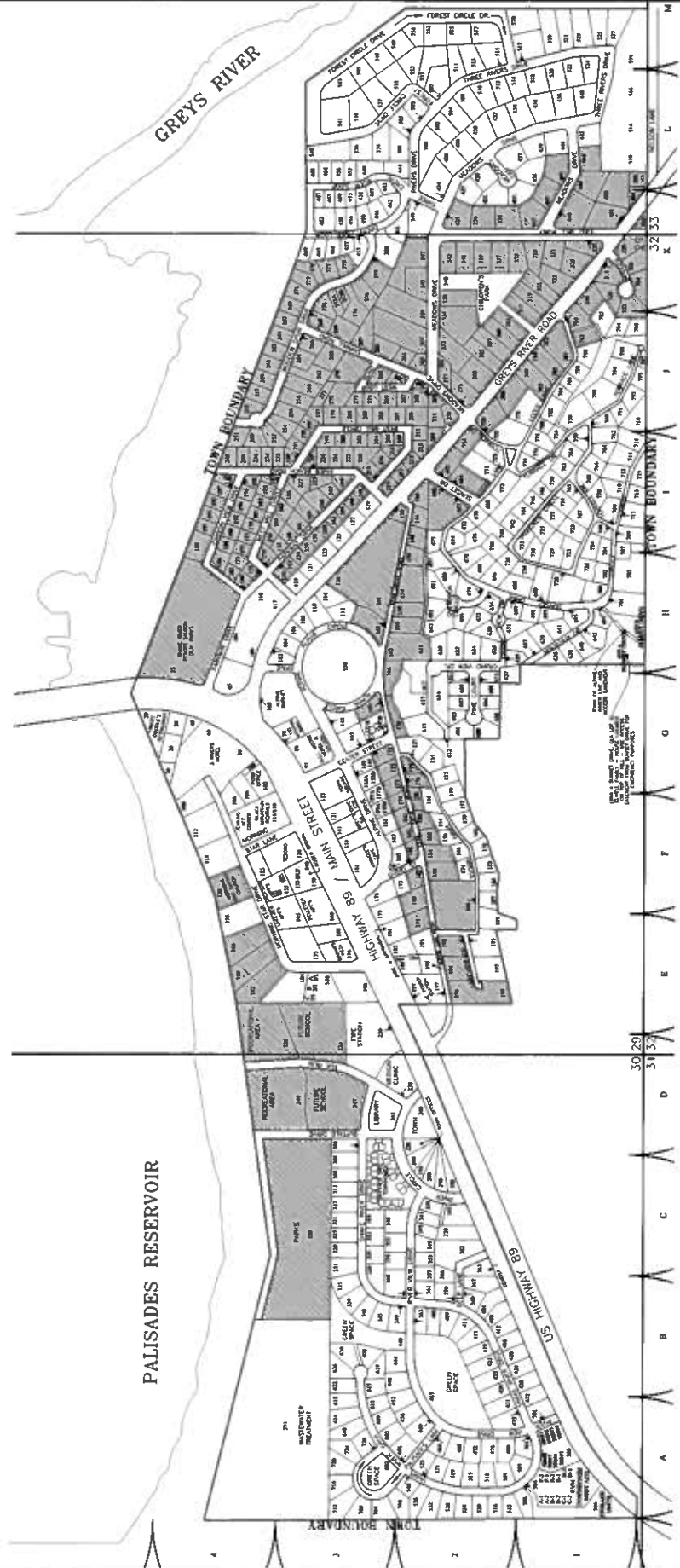
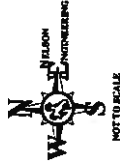
LINCOLN COUNTY, WYOMING

MAP DEPICTING SANITARY SEWER COLLECTION SYSTEM - PHASE I

LEGEND

 LOTS INCLUDED IN PHASE I

NUMBERS WITHIN LOTS ARE STREET ADDRESSES AS ASSIGNED BY THE TOWN OF ALPINE



DATE: 10/15/08
 DESCRIPTION: NELSON ENGINEERING ADDRESSING REVISIONS

DATE	DESCRIPTION	BY
2008	REVISED LOT NUMBERS, ADDRESSES, BUSINESS NAMES	EA
2008	REVISED LOT NUMBERS, ADDRESSES, BUSINESS NAMES	EA
2008	REVISED LOT NUMBERS, ADDRESSES, BUSINESS NAMES	EA

DATE: 10/15/08
 DESCRIPTION: NELSON ENGINEERING ADDRESSING REVISIONS

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2008	REVISED LOT NUMBERS, ADDRESSES, BUSINESS NAMES	EA
2008	REVISED LOT NUMBERS, ADDRESSES, BUSINESS NAMES	EA
2008	REVISED LOT NUMBERS, ADDRESSES, BUSINESS NAMES	EA

08-005-1

Sanitary Sewer Collection System - Phase I

178 - Ord. No. 2008-34

NELSON ENGINEERING
 P O BOX 1588, JACKSON WYOMING (307) 733-2007

DATE	APPROVED
DATE	APPROVED
DATE	APPROVED
DATE	APPROVED

**Exhibit A
Sewage Hookup Fee and Monthly Use Fee Calculation Table
Town of Alpine, Wyoming**

Description/Category	Assessment Unit	ERU/Assessment Unit	Hookup Fee/ Assessment Unit	Monthly Sewer Use Fee/ Assessment Unit
Single Family Residential Unit, House, Condominium, Townhouse, Apartment, Studio, (1-Bedroom or more)	Per Unit	1	\$5,000	\$36.00
Bars and Taverns---No Food Service (25 gpd/seat)	Per Seat	0.067	\$335.00	\$2.41
Restaurant (60 gpd/seat)	Per Seat	0.16	\$800.00	\$5.76
Motels and Hotels (131 gpd/room)	Per Room	0.35	\$1,750.00	\$12.60
Bed and Breakfast (226 gpd/room)	Per Room	0.603	\$3,015.00	\$21.71
Churches (No Food Preparation/Dishwashing)(5 gpd/seat)	Per Seat	0.0134	\$67.00	\$0.48
Churches (With Food Preparation/Dishwashing)(7 gpd/seat)	Per Seat	0.0186	\$93.00	\$0.67
RV Parks (with individual sewer hookups (100gpd/site)	Per Site	0.266	\$1,330.00	\$9.58
Camp Parks, Campgrounds w/Service Building (Includes "free-standing structures" such as Yurts and Tips) (75 gpd/site)	Per Site	0.2	\$1,000.00	\$7.20
Mobile Home Park	Per Site	1	\$5,000.00	\$36.00
Laundry--Self-service (300gpd/machine)	Per Machine	0.8	\$4,000.00	\$28.80
Dental office (75 gpd per chair)	Per Chair	0.2	\$1,000.00	\$7.20
Offices (30gpd/employee /1 occupant/100 sq. ft.)	Per Employee	0.08	\$400.00	\$2.88
Retail Stores>10,000 sq. ft. (0.05 gpd/sq. ft.)	Per 100 Sq. Ft.	0.013	\$65.00	\$0.47
Convenience/Retail Store <10,000 sq. ft. (.5 gpd/sq. ft.)	Per 100 Sq. Ft.	0.13	\$650.00	\$4.68
Gasoline Dispensing Facilities (220 gpd/two nozzle gasoline pump)--additive to other commercial uses.	Per Pump	0.586	\$2,930.00	\$21.10
Car Washes (945 gpd per bay)	Per Bay	2.52	\$12,600.00	\$90.72
Day Care (10 gpd per student)	Per Student	0.026	\$130.00	\$0.94

The listed flow values in gallons per day (gpd) under Description Categories assume Maximum Daily Flow conditions. The Town is expected to provide sewage service under Maximum Daily Flow conditions, not merely Average Daily Flow. Average Daily Flow Values are to be multiplied by a factor of 1.5 to obtain Maximum Daily Flow Values.

The minimum hookup fee for any new service shall be \$5,000. The minimum monthly sewer use fee shall be \$36. Expansion or remodel on an existing service shall be based on the new use, with credit being granted for the previous use. Credit for prior use shall be based upon the largest wastewater loading in the previous five years. Description categories indicated above may be combined for a single business entity, if applicable.

For customer categories not listed in the table above, the wastewater capacity fee amount shall be assigned by the Town of Alpine based on the relationship between the predicted maximum daily sewage contribution and the typical single family residential sewage contribution of 375 gallons per day (maximum daily flow), or by calculation of plumbing fixture values for the facility in question.

The above ERU criteria reflects historic sewage utilization for the Alpine area within the generalized listed description categories. Anomalies to the generalized use patterns will occur from time to time. The Town of Alpine reserves the right to adjust assigned ERU's to any non-residential customer, or groups of customers, in cases where sewage contribution exceeds 375 gpd (maximum daily flow) per previously assigned ERU, based on either measured water usage or measured delivered sewage.

A single family residence of one (1) or more bedrooms is equal to one (1) equivalent residential unit (ERU).

The above fees assume sewage contribution having a concentration of less than 300 mg/l of BOD5, COD or TSS. Sewage contribution having a higher concentration, if acceptable to the Town of Alpine, will be subject to a concentration surcharge determined by the Town.