EMERGENCY
205 – ORDINANCE NO. 2010-07

AN EMERGENCY ORDINANCE TO REPEAL AND REPLACE PORTIONS OF #199 ORDINANCE NO. 2010-01 – ESTABLISHING SEWER CONNECTION.

Be it ordained by the governing body of the Town of Alpine that the following shall amend Ordinance #199 2010-01 – Section IV Fees, #3 & #4 to amend/extend the rebate and amortization deadlines as well as the date to pay sewer fees (connection, use fees and readiness to serve fees) in the Town of Alpine, Wyoming.

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 portions of the ordinance.

Section II: Effective Date of this Ordinance:

As an emergency ordinance, this ordinance shall take effect from and after the date of approval and adoption.

Section III: Rebates:

Section IV of Ordinance # 199 2010-01 # 3 shall now read as follows:

Any lot owner with an existing septic tank in Phase II or outside of Phase I and Phase II who is voluntarily connecting to Phase II is eligible and may apply for a partial rebate on their connection fee, per ERU. In order to qualify for the rebate, the owner must submit a signed application to the Town Clerk on, or prior to, October 31, 2010, and payments under amortization, rebates and connection fees shall become due thirty days after substantial completion of the Phase II collection system.

Section IV of Ordinance # 199 2010-01 # 3.3 shall now read as follows:

In order to obtain such rebates, and in addition to the other requirements of this ordinance and of Ordinance 199 20-10-01, owners of lots in Phase II and those lots outside of Phase I and II who are voluntarily connecting to Phase II, must begin paying the monthly readiness to serve fee beginning thirty days after substantial completion of the Phase II collection system and must continue to do so until actual connection is made.

Section IV of Ordinance # 199 2010-01 # 3.4 shall read as follows:

Any property owner in Phase II, or property owner outside of Phase I and Phase II who is connecting

voluntarily to Phase II, who takes advantage of the rebate shall properly abandon their existing septic tank/leachfield and connect to the collection system within three years of substantial completion of the Phase II collection system.

Section IV: <u>Amortization of Connection Fees:</u>

Section IV of Ordinance # 199 2010-01 # 4(a) shall read as follows:

a) Declaration to use the amortization plan must be made by the lot owner on or before October 31, 2010 for Phase II, with amortization payments beginning thirty days after substantial completion of the Phase II collection system.

Section V: The emergency presented is that due to circumstances beyond the control of the Town, it has become apparent that the collections system will not be operational and ready to receive waste on the date intended and that dates for citizens to sign up for rebates and amortization will pass before the next regularly scheduled council meeting.

Section VI: <u>Notice of Phase II Effective Date</u>

Affected landowners shall be sent a courtesy letter notifying them of the date on which the Phase II collection system is substantially complete (the "Phase II Effective Date").

<u>Section VII: This ordinance passed and approved on the following dates:</u>

Passed on FIRST AND ONLY Reading as an emergency ordinance on August 3, 2010.

Vote: 5 Yes 0 No 0 Abstain 0 Absent

TOWN OF ALPINE COUNTY OF LINCOLN STATE OF WYOMING OFFICIAL SEAL

SIGNED: Victoria DeCora
Victoria DeCora, MAYOR

ATTEST: Terra Miller
Terra A. Miller, CLERK/TREASURER

ATTESTATION OF THE TOWN CLERK

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

I hereby certify that the forgoing 205 Ordinance No. 2010-07 shall be 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:

Terra A. Miller, CLERK/TREASURER