



ORDINANCE NO. 2025-012

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 2022-14 FOR THE PURPOSE OF ESTABLISHING UTILITY BILLING PROCEDURES, USAGE FEES, CONNECTION FEES, CONNECTION REQUIREMENTS, AND COLLECTION POLICIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ALPINE, WYOMING:

Section I: Title:

This ordinance shall be known and may be cited as the **"Utility Procedure Ordinance of the Town of Alpine."**

Section II: Ordinances Repealed:

Ordinance No. 2022-14, together with all ordinances or parts of ordinances in conflict with this ordinance, are hereby repealed.

Section III: Effective Date:

This ordinance shall be effective on the date of passage. All procedures specified herein shall begin on the first billing period after passing and approval of this Ordinance.

Section IV: Water Commissioner:

- (a) **Appointment:** The Mayor shall designate a Town employee to serve as Water Commissioner. The designated employee must hold a Level 1 certification from the Wyoming Department of Environmental Quality as a water operator. This designation may be modified at any time at the discretion of the Mayor.
- (b) **Authority:** The Water Commissioner or other designated employee shall have the authority to investigate applications for water and sewer services. The Water Commissioner shall also have the authority to terminate or temporarily suspend water/sewer services as provided in this article

Section V: Definitions: As used in this ordinance:

- (a) **"Town"** means the Town of Alpine, Wyoming.
- (b) **"Customer or consumer"** means any individual, firm, corporation, or entity that receives utility services from the Town.
- (c) **"Utility services"** means water and/or wastewater services provided by the Town.

- (d) **"Delinquent account"** means any utility account not paid in full by the due date specified on the bill.
- (e) **"Curb-box" (also known as a "valve box")** means a vertical cast iron sleeve, accessible from the public right-of-way, housing the shutoff valve (curb-stop) for a property's water service line. The curb-box is typically located between a building and the water main lines and usually consists of a metal tube with a removable or sliding lid, allowing access to the turn-key within.
- (f) **"Curb-Stop" (also known as a "shutoff valve")** means a valve and protective enclosure box placed in a user's water service line for the purpose of turning the water utility service on/off.
- (g) **"Water/Sewer Service"** means a water/sewer service (or lateral) utility line connecting the Town's utility main lines (water distribution system and sewer collection system) to a property's premises plumbing. The service or lateral originates at the connection of the main and includes all piping, equipment, and appurtenance installed to deliver the utility to the property, including any portion of that line that lies within Town property, right-of-way, or easements.

Section VI: Rates and Fees:

Utility rates and fees shall be established by separate ordinance of the Town Council and may be adjusted from time to time as necessary

Section VII: Water Rates, Fees, and Requirements

(a) Water Connection Requirements:

- i. **Mandatory Connection to Town Water System:** Connection to the Town of Alpine municipal water system is mandatory for all properties located within the incorporated limits of the Town. The installation or use of private culinary water wells is strictly prohibited within the Town of Alpine.
- ii. **Permit to Connect Required:** No connection shall be made to the municipal water system without first obtaining a permit to connect from the Town of Alpine Public Works Department. This permit is required prior to any construction or installation activity involving the Town's water infrastructure.
- iii. **Building Permit:** No building permit shall be granted until the permit to connect is issued.

iv. **Individual Meters Required:**

1. All water consumed within the Town of Alpine shall be delivered through and measured by a Town-approved water meter. No person, property, or premises shall connect to or use water from the municipal water system except through such a meter.
2. All new businesses and residences shall have their own individual water meter. Each property shall have at a minimum, one (1) water meter provided by the Town, which shall be installed in accordance with Town specifications. Additional meters may be installed at the landowner's expense; however, no additional connection fees shall be required for additional meters connected to the same service line.

v. **Backflow prevention assembly testing and maintenance:**

1. All properties or premises connected to the Town's public water supply shall install and maintain at the property owner's expense the appropriate backflow assembly. Determination of the hazard classification of a water service connection is at the sole discretion of the Town.
2. Backflow prevention devices at water service connections shall be inspected and certified by a certified backflow assembly tester at the time of installation meeting the certification requirements of WYDEQ Chapter 12. Cost of installation and testing shall be the responsibility of the property owner. Records of testing shall be supplied to the Town prior to initiation of service.
3. Backflow prevention devices installed at high-hazard nonresidential cross connections shall be inspected and tested on an annual basis by a certified backflow assembly tester meeting the certification requirements of WYDEQ Chapter 12. Backflow prevention assemblies must be tested at least annually and immediately after installation, relocation or repair. A report to the Town must be filed each time an assembly is tested, relocated, or repaired. These assemblies shall be serviced, overhauled, or replaced whenever they are found to be defective and all costs of testing, repair, and maintenance shall be borne by the property owner. If records of testing by the Town are not received annually, the Town may

complete the testing, of which the cost of testing plus 30% shall be applied to the owner's utility bill. If access for testing is denied, the consumer shall be subject to the termination of water service.

(b) Water Connection Fees:

- i. **Water Connection Fee:** The Water Connection Fee is a charge assessed by the Town of Alpine to recover the costs associated with providing a new physical connection to the Town's culinary water system. This fee includes labor to tap the water main, inspection services, review, approval necessary to ensure compliance with Town standards and specifications, the water meter, and labor to install the meter.
- ii. **Conditions for Installation:** A water connection may be installed only upon:
 1. Full payment of the Water Connection and Capacity Fees,
 2. Completion of the application process, and
 3. Issuance of a permit.
- iii. **Permit to Connect; Term and Extension:** Upon issuance, the applicant has two (2) years to connect to the town's culinary water system. Before expiration, a written request may be submitted for a one-time, one (1) year extension upon demonstration of good cause by the applicant. A fee shall be charged for the extension.
- iv. **Revocation and Forfeiture:** If the connection is not installed by the expiration of the extension deadline, all fees paid shall be forfeited and the permit to connect to the culinary water system shall be revoked. There shall be no refunds of Water Connection and Capacity Fees.
- v. **Water Connection Fees Outside Municipal Limits:** All Town Council approved water connections located outside the municipal limits shall be charged 125% of all rates and fees as adopted in the most recent Utility Rate Ordinance.
- vi. **Establishment of Fee:** The water connection fee shall be established in accordance with the rates set forth in the most recently adopted Town of Alpine Utility Rate Ordinance. In the event that no specific rate is provided therein, the fee shall be determined by the Town of Alpine Engineer based on anticipated usage.

(c) Monthly Usage Fees Required:

- i. **Base Rate:** The water base rate is a fixed monthly fee charged to each water user, regardless of the amount of water used. This fee covers the cost of maintaining the water system infrastructure, administrative expenses, and ensuring the availability of water service.
- ii. **Water Per Gallon Charge:** The water per gallon charge is a variable fee based on the actual volume of water used. This charge is assessed in addition to the base rate and is calculated based on the number of gallons consumed by the user during the billing period.
- iii. **Water Rates for Properties Outside Municipal Limits:** Both the base rate and the per-gallon water usage charge shall be assessed at one hundred twenty-five percent (125%) of the in-town rates for all users located outside the incorporated municipal boundaries of the Town of Alpine.

(d) Water Service Fees – Meter Replacement: Water service fees shall include charges established to cover the cost of repair and replacement of water meters. These fees ensure the Town of Alpine can maintain accurate metering equipment, recover the cost of meter materials and installation, and provide for the continued operation and reliability of the municipal water system.

(e) Readiness to Serve Fee: All vacant lots located within the municipal boundaries of the Town of Alpine that are not currently connected to the Town's water system shall be charged a monthly readiness to serve fee. This fee is required to maintain system availability and infrastructure readiness.

(f) Readiness to Serve Fee outside Municipal Limits: All vacant lots located outside the municipal boundaries of the Town of Alpine that have water service extended to the property shall also be required to pay the monthly readiness to serve fee, regardless of whether the property is currently connected. The readiness to serve fee for out-of-town properties shall be charged at one hundred twenty-five percent (125%) of the in-town rate.

(g) Installation Criteria:

- i. **Owner Responsibility:** The property owner shall be responsible for installing the water service line from the main to the point of connection in accordance with the Town of Alpine's specifications as adopted by the Alpine Town Council. The installation shall comply with the International Building Code (IBC), any other codes adopted by the Town of Alpine, Wyoming DEQ standards, and all other applicable standards or requirements. An encroachment permit shall be required for all curb cuts. The property owner shall warranty the Town of Alpine against any right-of-way settling for a period of one (1) year following installation. After installation and approval by the Town, the property owner retains responsibility for the service line from the curb-stop to the private connection and to the sewer main connection point. Water service lines shall be installed at a sufficient depth and/or insulated to prevent freezing. New service lines shall also be flushed to remove dirt and debris from the line prior to use.
 - ii. **Town Responsibility:** After installation and approval by the Town, the portion of the water service line from the main to the curb-stop becomes the property of the Town and shall be maintained by the Town thereafter. The Town remains responsible for maintenance and repair of the main utility lines and any service portions it owns. The Town reserves the right to access and utilize any valve, curb-stop, water meter, or device controlling the flow or delivery of water, including but not limited to water meters, seals, sending units, backflow prevention devices, or other equipment regulating or measuring the supply of any utility service. The Town retains ownership of the water meter regardless of location.
- (h) **Town Oversight and Inspection:** The Town of Alpine must be notified of a minimum one (1) full working day in advance of any excavation relating to a connection to the Town's water system (a Town of Alpine encroachment permit may be required). Any person making unauthorized service connections shall pay a fine of no more than seven hundred fifty dollars (\$750.00) per incident and at their expense be required to re-expose the entire line and pay for inspection by the Town. The landowner shall be held liable for any damage or additional fees and costs resulting from any failure to comply with this ordinance.
- (i) **Water Connection Dates:** The Town of Alpine prohibits new water connections involving excavations within the Town owned right of way or a prescribed Town utility easement between the dates of November 15 and April 15 unless for emergency purposes or otherwise pre-approved by the Town.

- (j) **Additional Fees:** If any of the above connection fees do not fully cover the total costs incurred by the Town for the water connection, additional costs and fees shall be assessed.

Section VIII: Sewer Rates, Fees, and Requirements

(a) Sewer Connection Requirements:

- i. **Mandatory Connection to Town Sewer System:** All existing and new structures with reasonable access to the Town of Alpine's sewer collection system shall be required to connect. The issuance of permits for permanent septic tanks or leach fields is strictly prohibited for any property with reasonable access to the existing sewer infrastructure.
- ii. **Permit to Connect Required:** No connection shall be made to the municipal sewer system without first obtaining a permit to connect from the Town of Alpine Public Works Department. This permit is required prior to any construction or installation activity involving the Town's sewer infrastructure.
- iii. **Building Permit:** No building permit shall be granted until the permit to connect is issued, **with the only exception being as provided in Section IV 1 B.**
- iv. **Lots without Reasonable Access to the Existing Sewer Collection System:**
 1. Landowners with properties located within the Alpine municipal limits that do not have reasonable access to the Town of Alpine sewer system (determined by the Town in accordance with the Master Sewer Ordinance), shall be required to obtain an on-site wastewater permit for new construction in accordance with Wyoming DEQ requirements. Documentation of an approved permit shall be provided before issuance of a building permit by the Town.
 2. Upon approval by the Town, Landowners may at their own expense, connect to the sewer collection system by extending the sewer service line or collection line. Such connections shall be subject to meeting all Town and DEQ requirements. Any sewer service line serving more than one building shall require a DEQ "Permit-to-Construct" and the consent of the Town of Alpine, subject to town engineer review.
- v. **Backflow Preventer Required:** Where users have drains or other plumbing fixture(s) less than twenty-four (24) inches above the elevation of the rim of the next upstream manhole, the user shall install a Town approved backflow prevention device in an accessible location on the service line serving said fixture(s). The landowner shall be responsible for the proper operation and maintenance of the black flow device.

vi. **Prohibited discharges:** In accordance with the Master Sewer Ordinance, no person, association, firm or business, including but not limited to septic tank pumping services, firms or organizations, shall discharge or cause to be discharged any of the following described water or wastes to the Town's sewer system:

1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas
2. Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantities, either singularly or by interaction with other wastes, to contaminate the sludge of the public sanitary sewer, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a public nuisance, or to create any hazard in the receiving waters of the wastewater treatment facility.
3. Any waters or wastes having a pH lower than 5.5, above 8.5 or having any other acidic/corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works
4. Solid or viscous substances in quantities or of such size capable of plugging or causing obstruction to the flow in sewers or of causing other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, manure, hair, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders
5. Paint, oil, wax, epoxy, grease or similar substance;
6. Sludge and other matter pumped from septic tanks or other sewage disposal systems;
7. Unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, or cooling water;
8. Any other substance which would unreasonably tend to plug or cause obstruction to the Town's sewer system.

(b) Sewer Connection Fees

- i. **Sewer Connection:** The Sewer Connection Fee is a charge assessed by the Town of Alpine to recover the costs associated with providing a new physical connection to the Town's sewer system. This fee includes inspection services, review, and approval necessary to ensure compliance with Town standards and specifications.
- ii. **Conditions for Installation:** A sewer connection may be installed only upon:

1. Full payment of the Sewer Connection and Capacity Fees,
 2. Completion of the application process, and
 3. Issuance of a permit.
- iii. **Permit to Connect; Term and Extension:** Upon issuance, the applicant has two (2) years to connect to the town's sewer system. Before expiration, a written request may be submitted for a one-time, one (1) year extension upon demonstration of good cause by the applicant. A fee shall be charged for the extension.
- iv. **Revocation and Forfeiture:** If the connection is not installed by the expiration of the extension deadline, all fees paid shall be forfeited and the permit to connect to the sewer system shall be revoked. There shall be no refunds of Sewer Connection Fees or Capacity Fees.
- v. **Sewer Connection Fees Outside Municipal Limits:** All sewer connections located outside the municipal limits shall be charged 150% of all rates and fees as adopted in the most recent Utility Rate Ordinance.
- vi. **Establishment of Fee:** The sewer connection fee shall be established in accordance with the most recent International Building Code Water Supply Fixture Unit Values for various Plumbing Fixtures and Fixture Groups.
 1. **Equivalent Residential Unit (ERU):** Fees are based on a monetary cost (\$) per ERU. An ERU is considered 25-Fixture Units. Sewer fees will be a minimum of (1) ERU. ERUs above (1) will be rounded up/down per the closest $\frac{1}{2}$ number.
- vii. **Change of Property Use – Sewer Evaluation Required:** In the event that the use of a property is changed, whether or not a building permit is required or obtained, the property owner shall submit an application to the Town of Alpine for review. As part of this review, the sewer service and capacity demands associated with the property shall be evaluated by the Town to determine compliance with all applicable requirements. Any necessary upgrades, modifications, or fees resulting from the change in use shall be the responsibility of the property owner.
- viii. **Previous Connection Fee Agreements / Amortization:** All contracts, agreements and extensions to the original agreements on connection fees in Phase I and Phase II of the Town of Alpine Sanitary Sewer Expansion Project shall terminate according to the terms of the Agreements. Any reference to “amortization” or reference to financing in the agreements is hereby stricken. Said references shall be termed as

lease agreements and lease payments. Any outstanding amounts due under these agreements are hereby declared “residual amounts”. Upon sale of the real property for which the sewer connection has been leased under the agreements, any outstanding residual amounts shall be paid immediately.

ix. **Monthly Usage Fees Required:**

- i. **Base Rate:** The sewer base rate is a fixed monthly fee charged to each sewer user, regardless of the amount of water used. This fee covers the cost of maintaining the sewer system infrastructure, administrative expenses, and ensuring the availability of sewer service.
- ii. **Sewer Per Gallon Charge:** The sewer per gallon charge is a variable fee based on the actual volume of water used. This charge is assessed in addition to the base rate and is calculated based on the number of gallons consumed by the user during the billing period.

1. **Irrigation:** At the owner’s expense they are allowed to install a deductive irrigation water meter. Irrigation water usage will be deducted from the domestic water meter usage for the sewer per gallon charge. Sewer deduction water meters will be installed under the same requirements of the municipal water systems

- iii. **Sewer Rates for Properties Outside Municipal Limits:** Both the base rate and the per-gallon sewer usage charge shall be assessed at one hundred fifty percent (150%) of the in-town rates for all users located outside the incorporated municipal boundaries of the Town of Alpine.

- x. **Readiness-to-Serve Fees:** Monthly readiness to serve fees shall be charged to properties in Phase I and Phase II of the Town of Alpine Sanitary Sewer Expansion Project.

xi. **Installation Criteria:**

1. **Owner Responsibility:** The property owner shall install, own, and maintain the sewer lateral and all service line components extending from the sewer main to the building connection. All work must comply with the International Building Code (IBC), the Wyoming DEQ standards, the

Town of Alpine Standards and Specifications, or any other applicable codes. Service lines must be placed at sufficient depth and/or insulated to prevent freezing. A Town representative shall inspect and approve all connections and installations. The property owner shall warranty the Town of Alpine against any right-of-way settling for a period of one (1) year following installation.

2. **Town Responsibility:** The Town is responsible only for the maintenance and repair of the sewer mains.
- xii. **Town Oversight and Inspection:** The Town of Alpine must be notified of a minimum one (1) full working day in advance of any excavation relating to a connection to the Town's sewer system (a Town of Alpine encroachment permit may be required). Any person making unauthorized service connections shall pay a fine of no more than seven hundred fifty dollars (\$750.00) per incident and at their expense be required to re-expose the entire line and pay for inspection by the Town. The landowner shall be held liable for any damage or additional fees and costs resulting from any failure to comply with this ordinance
- xiii. **Sewer Connection Dates:** The Town of Alpine prohibits new connections involving excavations within the Town owned right of way or a prescribed Town utility easement between the dates of November 15 and April 15 unless for emergency purposes or otherwise pre-approved by the Town.
- xiv. **Abandonment of Existing Septic Tanks:** Any lot owner with an existing structure that has reasonable access to the Town collection system, who has a septic system/leach field that fails to operate properly or becomes an environmental or public health concern, as determined by the Town of Alpine, shall be required to abandon that septic system/leach field and connect to the collection system within sixty (60) days following notification from the Town. If the notification of failure occurs after September 15, the connection shall be made by June 15 of the following year.
- xv. **Properties Requiring Pump Stations:** Special provisions shall apply to properties that are within reasonable access of the Town of Alpine's collection system and have a demonstrated need (to the satisfaction of the Town Engineer) for a pump station. These properties shall pay the same connection fees and capacity fees specified in the

most recently adopted Town of Alpine Utility Rate Ordinance. In addition, the pump station and discharge line shall be required to meet additional specifications. The pump station shall be purchased and installed at the property owner's expense.

- xvi. **Master Sewer Ordinance:** The Master Sewer Ordinance establishes additional requirements, penalties, definitions, and prohibitions governing the Town of Alpine Sewer System and Treatment Plant. These provisions apply to all new and existing sewer service connections and to all use of the Town sewer system. In the event of a conflict between this ordinance and the Master Sewer Ordinance, the most recently adopted and more restrictive provision shall prevail.
- xvii. **Additional Fees:** If any of the above connection fees do not fully cover the total costs incurred by the Town for the sewer connection, additional costs and fees shall be assessed.

Section IX: Other Fees and Charges

- (a) **Bulk Water:** Where sufficient water is available for municipal uses, the Town may provide bulk water sales.
 - i. **Bulk Water Permits and Metering Requirements:** Bulk Water taken from fire hydrants or by other dedicated bulk water dispensing systems will be approved by special permit issued by the Water Commissioner who shall, at their discretion, issue a water meter to each such permittee. A meter or meters, together with such backflow prevention assemblies as the Water Commissioner may determine necessary, must be connected to each fire hydrant/dispenser and must meter all water flowing therefrom pursuant to such special permit. The approval of the application to purchase bulk water may be withdrawn at any time with or without cause.
 - ii. **Bulk Water Fees and Rates:** Bulk water permit fee and usage rates; see currently Utility Rate Ordinance.
 - iii. **Return of Equipment and Penalties:** The permittee shall return all necessary equipment issued under such special permit to the Town of Alpine at the completion of the permit or as requested by the Town of Alpine. Any permittee that fails to return such equipment, or returns such equipment in a damaged state, is guilty of a misdemeanor and, upon conviction, is subject to a fine not to exceed \$750 as well as any restitution to the Town for replacement of such equipment.

- iv. **Exemption for Fire Department Operations:** Nothing in this section shall be deemed in any manner to prohibit, hinder, or require a permit of the Fire Department carrying out its firefighting duties

(b) Septage Disposal Fee:

- i. **Authorization for Acceptance of Septage:** The Town of Alpine may, at its sole discretion, authorize the acceptance of septage or other hauled wastewater at the Town's wastewater treatment facilities. Authorization shall be granted only as determined necessary and appropriate by the Town, and the Town reserves the right to deny acceptance at any time.
- ii. **Disposal Fee Rates:** When septage is accepted, the Town shall assess a disposal fee in accordance with the rates established by the most recently adopted Town of Alpine Utility Rate Ordinance

Section X: Utility Billing and Collection Policy

- (a) Responsibility for payment:** The Town provides water and sewer services to properties and premises within the Town's service area. Responsibility for payment of connection fees, service fees, and special assessments applicable to the provision of those services shall rest, in each instance, with the owner of the property or premises, as recorded on the deed of trust, to which said service is provided. All such connection and capacity fees, service fees, and special assessments shall be billed to the property or premises owner. Where billing is sent to someone other than the owner, the fact that such owner shall not have been directly advised of amounts owed shall not relieve said owner of the responsibility to pay such amounts when due.
- (b) Utility Billing and Collection:** Billing shall be in accordance with the rates set forth in the most recently adopted Town of Alpine Utility Rate Ordinance and shall be subject to the penalties below.
- (c) Meter Reading:** The Town shall read all water meters one time per month.
 - i. If the Town is unable to obtain a water meter reading, the customer's bill shall be calculated based on the average water usage for that service. An adjustment shall be made once an actual meter reading is obtained.
- (d) Billing Policy:**
 - i. **Billing Policy:** Except as provided otherwise, the owner of the property or premises shall reimburse the Town in arrears for any and all water and sewer

services on a monthly basis. The billing due date shall be considered to be the 25th day of the month regardless of the actual mailing date of the bill. Fees for water and sewer service or special services shall be set by Utility Rate Ordinance. Any payment not received by the 25th day of the month during which the bill was sent to the customer shall incur a late fee set by Utility Rate Ordinance. All late fees shall be considered part of the payment for such service for the purposes of VII(e)(iii) which allows termination of service when payment is past due for 60 days from the billing date.

- ii. Any payment not received by the 25th shall be deemed late and subject to a late fee as set by Utility Rate Ordinance. All late fees shall be considered part of the service charges for purposes of Section VII(e)(iii), which authorizes termination of service when an account remains unpaid for sixty (60) days past the due date.
- iii. Once a property is connected to Town water and/or sewer and a billing account has been established, monthly readiness-to-serve charges shall apply, regardless of usage.
- iv. Corrections in billing activities shall be made retroactively for not more than three (3) billing cycles in the billing period immediately following validation of the error, unless it is determined that the property owner and/or renter tampered with the meter or related appurtenances, in which case full back-billing may be imposed.
- v. **Delinquent Accounts:** When water or sewer service charges remain unpaid for sixty (60) days past the due date, the account shall be deemed delinquent. The Town may file a lien against the property or premises served in the amount of the delinquency. Any lien filed may be foreclosed in accordance with law. In any foreclosure or civil action brought to recover delinquent amounts, the Town shall be entitled to recover the outstanding balance together with all costs of collection, including reasonable attorney's fees.

(e) Discontinuance of Service:

- i. **Termination of service authorized:** The Town has the right to disconnect and refuse to connect or reconnect any water or other utility service (Any disconnection shall follow the procedure set out in ii) for any of the following reasons:
 - 1. Failure to meet applicable provisions of law;
 - 2. Violation of rules and regulations pertaining to utility services;

3. Nonpayment of water or sewer bills when payments for such services remain past due for 60 days from the due date;
4. Willful or negligent waste of services due to improper or imperfect pipes, fixtures, appliances or appurtenances or due to any other reason;
5. Tampering with or failing to have in place or maintain any water meter, seal, sending unit, backflow prevention device or other equipment controlling, regulating or measuring the supply of any utility service up to and including freezing;
6. Theft, diversion or use of utility services without payment;
7. Failure to allow access to any water meter or related sending unit upon reasonable request; or
8. Vacancy of premises.

ii. **Notice of termination required:** Where any of the reasons set out in X (e)(i) exist, water services provided by the Town may be terminated. Ten (10) days prior to such termination a pretermination notice shall be sent or delivered to the owner or other party designated for receipt of statements of account for that property or premises. Such pretermination notice shall indicate that services will not be restored until the account has been paid in full together with an additional fee set by the most currently adopted Utility Rate Ordinance to cover the cost of terminating and restoring the service. The Town shall not be held responsible for any damages, physical or otherwise, resulting in the termination of water and/ or sewer service.

iii. **Winter Months:** From December 1 through April 1, the Town of Alpine shall not disconnect water service to a residence for delinquent payment of water or sewer fees. Commercial properties, however, may be disconnected for delinquency at any time during the year. The Town shall not be liable for any damage or loss resulting from disconnection.

(f) Voluntary Disconnection and Reconnection of Water Service:

- i. At the request of the property owner, the Town will shut off water service at the curb stop. A single shut-off/reconnect fee, as set forth in the current Utility Rate Ordinance, shall apply regardless of the length of disconnection. The property owner shall remain responsible for paying the base monthly water rate during the

disconnection period, as well as all base rates and per-gallon charges accrued prior to the shutoff date. In addition to the shut-off/reconnect fee, the property owner shall be responsible for any actual labor, equipment, and material costs incurred by the Town in restoring service. Voluntary disconnects are provided solely at the property owner's request (e.g., system repairs, inspections, or extended vacancy) and do not apply to disconnections for nonpayment.

- ii. **Liability Disclaimer:** The Town of Alpine shall not be liable for any loss, injury, or impact resulting from voluntary disconnection of water service.

(g) **Transfer of Service:** When a property with existing water or sewer service is sold or otherwise transferred, the new property owner (transferee) shall complete a service transfer application, provide a copy of the recorded deed or other transfer instrument, and pay the applicable transfer fee as established in the most recently adopted Town of Alpine Utility Rate Ordinance. All outstanding charges must be paid in full prior to transfer of service. The Town of Alpine shall not prorate base rate fees.

(h) **Returned Check Fee:** A service fee shall be charged for all returned checks and shall be established in the most recently adopted Town of Alpine Administrative Fees Resolution

(i) **Renter Policy:** The Town of Alpine shall, at the written request of the property owner and consent of the renter, change the billing name and mailing address into a renter's name for billing purposes. The Town of Alpine shall assess a Renter Fee as established by the most recently adopted Town of Alpine Utility Rate Ordinance. However, the property owner remains liable for payment. The property owner shall be notified when an account becomes delinquent, in accordance with the billing policy, X (d).

(j) **Liens for Unpaid Charges:**

- i. All fees, charges, penalties, and costs established under this ordinance, including but not limited to water and sewer service charges, base rates, usage charges, late fees, disconnection or reconnection fees, transfer fees, and any costs of collection, shall constitute a debt due to the Town of Alpine. Any such unpaid amounts shall become a lien upon the property or premises served.
- ii. The Town may file a lien statement against the property or premises in the amount of the delinquency. Any lien filed may be foreclosed or otherwise enforced as provided by law. In any foreclosure or civil action brought to recover unpaid amounts, the Town shall be entitled to recover the delinquent balance together with all costs of collection, including reasonable attorney's fees.

Section XI: Special Provisions

(a) Authority to Adjust Fees: The amount, type, and method of any fee adjustment shall be determined solely by the Town of Alpine. **(Who shall have the authority to adjust fees? Staff)**

(b) Water rationing: If, at any time for any reason, a scarcity of water occurs, the Mayor may impose such restrictions upon water consumption as it deems necessary to conserve the water supply of the Town. Such restrictions shall include but not be limited to water rationing or other conservation measures.

(c) Usage Fees Paid by the Town of Alpine: The Town of Alpine shall pay the same usage rate for water and sewer as other users within the municipal limits as identified under the most recently adopted Town of Alpine Utility Rate Ordinance including all public buildings and open space.

(d) Unauthorized connections; uses; tampering: No person, association, firm or business shall make any unauthorized connection or adjust, turn on/off, terminate or otherwise tamper with the Town's water and sewer system.

i. Water utility:

1. **Unauthorized activities:** Unauthorized activities include, but are not limited to: adjusting, turning on/off, terminating, or otherwise tampering with any fire hydrant, valve, curb stop, device controlling the flow or delivery of water from the Town's waterlines, water meter, or sending unit without the Town's permission. Any person, firm, corporation, or other organization engaging in such activity is guilty of a misdemeanor and, upon conviction, shall be punished in accordance with VIII(l), shall be responsible for all related costs of repair, and may be subject to termination of service under VII(e)(iii). Nothing in this section shall limit the ability of a property owner to operate their own curb stop.
2. **Tampering with Meters and Plumbing:** No person, association, firm, or business shall tamper with any water meter or related sending unit installed by the Town, nor shall any person refuse access to a meter or related sending unit by authorized Town personnel. Meters and sending units shall remain accessible for service during reasonable hours.
3. **Prohibited Plumbing Alterations and Meter Bypass:** It shall also be a violation of this ordinance for any person to alter, modify, or install plumbing in a manner that allows water usage to bypass the meter or prevents accurate registration of consumption.
4. **Meter Tampering, Fees, and Penalties:** If the Town determines any meter or plumbing has been tampered with, or if access is denied, the

billing rate for any month for which no reading is obtained shall include a Meter Tampering Fee. A property owner may appeal such billing adjustment to the Town Council in writing within ten (10) days of notice; failure to do so shall bar the appeal. Repeated tampering, meter bypassing, or continued denial of access may result in termination of water service under VII(e)(iii). Any such conduct constitutes a misdemeanor, punishable in accordance with XI (j) , together with liability for all related costs of repair.

5. **Water Theft:** It is unlawful for any person, association, firm, or business to take or use water from the Town of Alpine without authorization. Theft of water includes, but is not limited to, unauthorized connections, bypassing meters, or any other act resulting in unmeasured water use. Such theft shall result in the imposition of a civil penalty of seven hundred fifty dollars (\$750.00) for each day the violation occurs, in addition to any applicable misdemeanor penalties, repair costs, or termination of service.

(e) Sewer utility.

- i. **Unauthorized Access to Sewer System:** Unauthorized activities include but are not limited to accessing, adjusting, or otherwise tampering with any manholes or cleanouts or other structures associated with the sewer collection system.
- ii. **Violation of Discharge Limits:** It shall be a violation of the Town of Alpine Master Sewer Ordinance for any person or property owner to discharge wastewater in excess of the limits established by the ordinance, the Town of Alpine Standards and Specifications, or any applicable state or federal regulations.
- iii. **Penalties and Enforcement:** Any person, association, firm or business found guilty of violating this section is guilty of a misdemeanor and, upon conviction, shall be punished in accordance with VIII(1), as well as being responsible for all related costs of repair and being subject to termination of service under VII(e)(iii).

(f) Frozen services, laterals, and appurtenances:

- i. **Responsibility for Frozen Service Laterals:** The property owner shall be responsible for performance of and payment for the work necessary to thaw all frozen water and sewer service laterals between the private connection and point of connection with the main. The Town shall be responsible for thawing all main lines.
- ii. **Repairs Within Town Rights-of-Way and Easements:** Any repairs within the Town right-of-way and easements shall comply in all respects with Town of

Alpine Standards and Specifications, Construction Standards, and Building and Fire Codes.

- iii. **Damage from Freezing:** Any water meter or related appurtenance that is damaged due to freezing shall be repaired or replaced at the expense of the Town of Alpine, unless it is determined that the damage resulted from tampering or other improper action by the property owner, in which case all costs shall be the responsibility of the property owner.

(g) Defective Service Laterals, Curb Stops, Water Valves, or Cleanouts:

- i. Upon notification or discovery of any damaged, leaking, or defective service lateral, curb stop, water valve, or cleanout, responsibility for repairs shall be as follows:
 - 1. **Property Owner Responsibility** – If the leak or defect is located on the property owner’s side of the curb stop valve (between the curb stop valve and the building served), the Town of Alpine shall notify the property owner. The property owner shall be required to repair the leak at their own expense. (How many days do we give them?)
 - 2. **Town Responsibility** – If the leak or defect is located between the curb stop valve and the main line, the Town of Alpine shall perform the repair at the Town’s expense.
 - ii. All repairs within the Town right-of-way and easements shall comply with the Town of Alpine’s Standards and Specifications, Construction Standards, and Building and Fire Codes.
- (h) Testing of water meters:** The Town of Alpine shall test a water meter upon request of a customer. If the meter is determined to be accurate, the customer shall be charged a testing fee at the rate established in the Utility Rate Ordinance. If the meter is determined to be faulty and recording incorrect readings, the testing fee shall be waived, the faulty meter shall be replaced by the Town at no cost to the customer, and the customer’s bill for the prior usage period shall be adjusted to reflect the minimum base rate only.
- (i) Cost of Town-Supplied Parts and Materials:** If a property owner, contractor, or other party requires parts, fittings, or supplies from the Town of Alpine in connection with a water or sewer connection and/or repair, the Town may furnish such items directly. The purchaser shall be charged the Town’s acquisition cost of the part or supply plus thirty

percent (30%) to cover administrative, handling, and overhead expenses. Payment in full shall be required prior to release of the items.

(j) Violations and penalties:

- i. Any person, firm, corporation, or other entity who violates any provision of this ordinance, or who fails to comply with any lawful order or requirement of the Town of Alpine made pursuant to this ordinance, shall be guilty of a misdemeanor. Upon conviction, such person shall be subject to a fine not to exceed seven hundred fifty dollars (\$750.00) for each day that the violation continues, together with court costs and reasonable attorney's fees.
- ii. In addition to or in lieu of criminal prosecution, the Town of Alpine may enforce the provisions of this ordinance through civil action, including but not limited to the filing of liens against the property served, the recovery of damages, or the termination of utility services. Each day a violation continues shall constitute a separate and distinct offense.

Section XII: Severability:

- (a)** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unenforceable 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.
-

Passed First Reading on the 2nd day of September 2025.

VOTE: ___ YES, ___ NO, ___ ABSTAIN, ___ ABSENT

Passed Second Reading on the 16th day of September 2025.

VOTE: ___ YES, ___ NO, ___ ABSTAIN, ___ ABSENT

Passed on Third and Final Reading 7th day of October 2025.

VOTE: ___ YES, ___ NO, ___ ABSTAIN, ___ ABSENT

TOWN OF ALPINE

Eric Green, Mayor of Alpine

ATTEST:

Monica L. Chenault, Clerk / Treasurer

ATTESTATION OF THE TOWN CLERK

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

I hereby certify that the forgoing Ordinance No. 2025-012 shall be duly posted for ten (10) days in the Town Office.

I further certify that the foregoing Ordinance will be posted on the Town website in final form, upon its passing and approved by the Town Council as soon as is practicable.

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

ATTEST:

Monica L. Chenault, Clerk / Treasurer