

**TOWN OF SARATOGA
ORDINANCE NO. 873
AN ORDINANCE AMENDING CHAPTER 13.40 OF THE
TOWN OF SARATOGA MUNICIPAL CODE
CONCERNING SEWER FEES AND SERVICE RATES; AND
TO PROVIDE AN EFFECTIVE DATE.**

WHEREAS, The Town Council as well as the Mayor of the Town of Saratoga, has determined that in the best interest of its residents that the above mentioned Town Code Section(s) be amended.

WHEREAS, The Town Council as well as the Mayor of the Town of Saratoga, finds it appropriate and necessary to establish appropriate rates and billing methods for the acquiring revenue from the provision of sewer utility services.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Saratoga, Carbon County, Wyoming.

SECTION 1: That Title 13 Chapter 13.40 Fees and Service Rates be amended to read:

Chapter 13.40 FEES AND SERVICE RATES

13.40.010 Installation and connection - Owner's expense.

All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the town from any loss or damage that may, directly or indirectly, be occasioned by the installation of the building sewer.

13.40.20 Connection fees.

A. The fee to be charged for any permit issued to make connections or tap with a public sewer or sanitary sewer of the town shall be as follows:

1. Each sewer tap will be Two Thousand Five Hundred and no/100 (\$2,500.00) Dollars.
2. Motels and Hotels. The residential fee stated in subsection A of this section, plus ten percent (10%) thereof for each sleeping room constructed and maintained or rented. In addition, a fee by contract shall be charged for bars, restaurants or any other commercial establishments which are components of a motel or hotel in accordance with the rates established under this chapter for commercial and industrial uses;
3. Commercial and Industrial. By contract based upon demand and deteriorating effect of the use upon the facilities of the town, but not less than the designated rates for residences;
4. Remodeled Buildings. The regular fee as stated in this section for each new living unit established in any dwelling or structure.
- B. Such fees shall be collected in advance before a permit is issued to tap or make any connections with sewer mains of the town. (Ord. 721, 2003; Ord. 702, 2002; prior code § 19-14)

13.40.30 Monthly service charges - Billing.

A. The following charge for sewer service charged by the town of Saratoga for each single-family residential unit shall be the sum of thirty-two dollars and forty-seven cents (\$32.47) per month.

1. Said monthly service charge shall increase a minimum of three percent (3%) each calendar year, in order to allow the town to recapture sewer revenue shortfalls and repayment of debt service. The town council may repeal or amend this section at any time they determine revenue shortfalls have been recovered, or otherwise amend this section at any time as it may be necessary, or otherwise in the best interest of the town.
2. "Single-family residential unit" shall mean a building, or a portion thereof designed exclusively for residential purposes, including, but not limited to, the following: mobile homes, one-family, two -family and multiple-family dwellings.

3. Hotels, boarding and lodging houses, fraternity and sorority houses, rest homes and nursing homes or child care nurseries will be billed under commercial businesses.
4. Each single-family residential unit shall be assessed a monthly sewer rate charge of thirty-two dollars and forty-seven cents (\$32.47). (e.g., each single-family residential unit within a multiple-family dwelling would be charged a monthly sewer rate of thirty-two dollars and forty-seven cents).

B. The monthly charge for sewer service charged by the town of Saratoga for business, commercial and all other users shall be as follows:

1. Business, Commercial and All Other Users. Base rate of thirty-nine dollars and ninety-five cents (\$39.95) per month, or a minimum of eighty percent (80%) of the user's water bill for the identical property for the same month, whichever is greater. The basic fee of thirty-nine dollars and ninety-five cents (\$39.95) per month shall be assessed by the town of Saratoga as the minimum monthly fee, whether or not the water service is being provided to the same property.

2. Said monthly service charge shall increase a minimum of three percent (3%) each calendar year, in order to allow the town to recapture sewer revenue shortfalls and repayment of debt service. The town council may repeal or amend this section at any time they determine revenue shortfalls have been recovered, or otherwise amend this section at any time as it may be necessary, or otherwise in the best interest of the town.

C. The sewer service charge imposed is equally applicable to all users of the town of Saratoga sewer service, whether or not said properties utilize the town's water service.

D. Billing and collection of the charges imposed herein, delinquencies, late charges, notification and enforcement are prescribed by Chapter 13.06 of this code. (Ord. 829 § 1, 2015; Ord. 828 § 1, 2014; Ord. 789, 2010; Ord. 776, 2008; Ord. 688, 2001; Ord. 669, 2000; Ord. 635, 1998; Ord. 632, 1998; Ord. 621, 1997; Ord. 560, 1991; Ord. 519, 1988; Ord. 489, 1987; Ord. 488, 1986; Ord. 462, 1985; Ord. 432, 1982; prior code § 19-15)

SECTION 2: REPEALED

All other prior Ordinances or Parts Thereof that are in conflict herewith are hereby repealed.

SECTION 3: METHODOLOGY

For purposes of clarifying the amending procedures all code sections are listed in full in the above sections.

SECTION 4: SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, or its application to any Person or circumstances is held invalid, the remaining portion of this Ordinance shall remain in full force and effect, and the application of the provision to other persons or circumstances shall not be affected.

SECTION 5: This ordinance shall be in full force and effect upon passage, approval, and publication.

PASSED ON FIRST READING on the 5th day of November, 2024.

PASSED ON SECOND READING on the __ day of November 2024.

PASSED, AND ADOPTED ON THIRD READING on the __ day of December, 2024.

ATTEST:

APPROVED:

Jenn Anderson, Town Clerk

Chuck Davis, Mayor