

ENROLLED ORDINANCE NO. 18-017

AN ORDINANCE AMENDING TITLE 13 “PUBLIC SERVICES” TO REVISE CHAPTER 13.08 “WATER SERVICE SYSTEM”, SECTIONS 13.08.010 DEFINITIONS, 13.08.030 PROMULGATION OF RULES AND REGULATIONS BY CITY ADMINISTRATOR, 13.08.060 TRESPASS OR INTERFERENCE WITH UTILITY PROPERTY, 13.08.090 EXPOSURE OF PIPES TO FROST, 13.08.170 FEES – NUMBER AND TYPES REQUIRED, 13.08.180 FEES – WHEN PAYMENT REQUIRED, 13.08.240 MATERIALS – PLACEMENT, 13.08.290 APPROVAL OF REPLACEMENT SERVICES, 13.08.300 EXTENSION TO MORE THAN ONE PROPERTY, 13.08.320 PURCHASE, INSTALLATION, ETC., BY CITY, 13.08.330 PROPERTY OF CITY, 13.08.340 LOCATION, 13.08.350 REPAIRS, 13.08.370 MONTHLY READING, 13.08.380 RIGHT OF ENTRY TO READ, INSPECT, TEST, ETC. – FAILURE TO ALLOW ENTRY, 13.08.390 DEFACING, INJURING, BYPASSING, ETC., 13.08.410 COMPUTATION WHEN METER CANNOT BE READ, 13.08.480 VOLUNTARY DISCONTINUATION OF WATER SERVICE, 13.08.510 BILLING FOR SERVICE, 13.08.520 SHUTTING WATER OFF FOR UTILITY PURPOSES, 13.08.530 SIZE, 13.08.600 OWNERSHIP AND WARRANTY, 13.08.620 WATER COOLING SYSTEMS, 13.08.650 USE OF SUPPLEMENTAL WATER SOURCES, AND TO ESTABLISH 13.08.670 CROSS-CONNECTIONS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, FREMONT COUNTY, WYOMING:

**Section 1.** Section 13.08.010 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.010 DEFINITIONS**

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Building supply line” means the pipe carrying potable water from the curb stop *or shut off valve* to the point of service.

“Commercial” means any property or use which is not a residence or combination of residences, specifically excluding industrial property or uses.

*“Corporation Stop” means a valve directly installed against a pressurized water main as part of the water tap process that connects a service line to the municipal distribution system, which is not accessible at the surface grade.*

*“Curb Stop” means a subsurface valve that connects a service line and a building supply line, which is accessible at the surface grade through a service valve box and stem.*

*“Discontinuance” means to temporarily shut off water at the curb stop.*

“Industrial” means uses and property where water use is an integral part of a manufactured commodity or where water is utilized as a cleaning or cooling agent to a commodity produced.

“Person” means any real person, individual, partnership, association, corporation or entity which is recognized by law without exclusion of any other type.

“Plant investment fee” means a one-time development fee collected to pay for growth related capital expansion costs of water supply, storage, transmission, treatment and distribution facilities.

“Property owner” means the person that has the legal title to the property as determined by the records in the County Courthouse.

“Residence” means each dwelling unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

“Residential” means any one or combination of “residence” as defined herein.

“Service line” means a water-carrying conduit which provides water from the municipal distribution system to any curb stop.

*“Termination” means to physically disconnect the building supply line and water service from the water main.*

“Utility user” means an entity responsible for a utility account, either a property owner or a renter who has paid to the city the appropriate utility deposit.

“Water main” means a pipeline, duly accepted by the city which constitutes an integral part of the distributional system of the city and provides for water service, circulation and transportation.

~~“Water tap” fee means the payment required for the connection of each residence, commercial occupancy or other use. The term “water tap fee” have distinct meanings. Water tap fees may equal or exceed the number of physical “water taps” or~~ *the physical act of connecting* ~~ions made~~ to a municipal water main.

“Water utility” means all water and water rights, waterworks and appurtenances thereto, machinery, equipment and supplies used by the city to supply customers with water; provided, however, that the water service line from, but not including, the curb stop to the structure or property served shall be regarded as the property of the owner of the property served therewith. (Ord. 16-003 § 1, 2016; Ord. 00-006 § 1, 2000; prior code § 29-1)

**Section 2.** Section 13.08.030 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.030 PROMULGATION OF RULES AND REGULATIONS BY CITY ADMINISTRATOR.**

The city administrator or designated representative may, from time to time, promulgate such rules and regulations as he or she considers necessary to carry out the intent of this chapter; provided, that such rules and regulations are not inconsistent with this chapter. (Prior code § 29-3)

*Except as otherwise provided in this code, or other ordinances of the city, the provisions of the Wyoming Department of Environmental Quality, Water Quality Rules and Regulations are adopted as part of this Code.*

**Section 3.** Section 13.08.060 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.060 TRESPASS OR INTERFERENCE WITH UTILITY PROPERTY.**

No person shall trespass upon the property of the water utility or tap any water mains or make any connections therewith or in any manner interfere with the water utility or the property, equipment, pipes, valves or any other appliances of the water utility or change or alter the position of any valve or appliance regulating the flow of water in any pipeline *unless and until that person shall have been granted permission by the City for doing so.* (Prior code § 29-6)

**Section 4.** Section 13.08.090 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.090 EXPOSURE OF PIPES TO FROST.**

It is unlawful for any person to make excavations on any street or other public right-of-way or easement within six feet of any existing water main while the ground is frozen, or to dig up, uncover or expose to frost any water main or other appurtenances of the water utility *unless authorized by the Public Works Director.* (Prior code § 29-9)

**Section 5.** Section 13.08.170 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.170 FEES—NUMBER AND TYPES REQUIRED.**

Each person desiring or required to connect to the water utility shall pay the ~~tap~~ *plant investment* fees prescribed for the size thereof for each physical connection made to the water utility. Each person desiring or required to change the size of an existing connection shall pay the ~~tap~~ *plant investment* fees prescribed for the size of the new connection, without credit for ~~tap~~ *plant investment* fees previously paid. Fees paid shall be nonrefundable and shall be considered to have been paid over on behalf of the property specified in the permit application. (Prior code § 29-18)

**Section 6.** Section 13.08.180 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.180 FEES—WHEN PAYMENT REQUIRED.**

Payment for all taps and connections as prescribed in this article shall be required when building permits are secured. If a connection request does not require a building permit, payment shall be required upon request for ~~an connection tap~~ *encroachment* permit. All fees due and payable under this chapter shall be collected prior to the beneficial occupancy of any property; a certificate of occupancy for new construction or alteration shall not be issued until all such fees are paid. (Prior code § 29-19)

**Section 7.** Section 13.08.240 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.240 MATERIALS—PLACEMENT.**

- A. Water ~~rights~~ *services* in streets, alleys and other public rights-of-way shall be type “K” copper and shall be of sufficient size to furnish an adequate flow of water at peak demand for the proposed use, and shall be a minimum of three-fourths of one inch. The service shall be provided with a corporation ~~cock~~ *stop* at the main, curb stop and box at the location prescribed by the city.
- B. Water services must be laid at least ten (10) feet from any sewer service and must be in a separate trench from any sewer service.
- C. Water services must be laid a minimum of six feet below the established grade of the street from the water main to the property line. ~~Service~~ *Building supply* line depth must be a minimum of five feet below projected ground grade from the property line to the point of service. When a main is of greater or less depth, the service line shall be brought to the required depth as soon as possible after leaving the point of connection with the main. (Prior code § 29-25)

**Section 8.** Section 13.08.290 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.290 APPROVAL OF REPLACEMENT SERVICES.**

New services to replace existing services shall not be approved by the city and the water turned on until old service lines are dug up and the corporation ~~cock~~ *stop* shut off at the main. *Curb stops shall be abandoned in accordance with the city's standard procedures.* (Prior code § 29-30)

**Section 9.** Section 13.08.300 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.300 EXTENSION TO MORE THAN ONE PROPERTY.**

- A. Each property shall be served by its own service line and no connection with the water utility shall be made by extending the service line from one property to another property. In cases where service lines were extended from one property to a different property prior to adoption of this section, the continued use of such extension shall be permitted until replacement is necessary, at which time separate connection shall be made to the water main and the extended service line shall be discontinued. ~~The city shall bear the cost of replacement from the main to the property line. The extension from the property line~~ *All replacement costs* shall be at the expense of the owner of the property served by such extension.
- B. ~~Any extension required in this section must be accomplished prior to the continuation of municipal water service provided, however,~~ *The city council reserves the right to establish contractual arrangements for compliance with this section.*
- C. Replacement shall be deemed necessary when compliance to any or all sections of this chapter requires including, but not limited to, service termination upon property owner's request (Section 13.08.480), discontinuance of service for failure to comply with regulations (Section 13.08.400~~040~~), discontinuance of service for failure to pay (Section 13.08.470), or upon subdivision of the property (Sections 13.04.540 and 13.08.550). (Prior code § 29-31)

**Section 10.** Section 13.08.320 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.320 PURCHASE, INSTALLATION, ETC., BY CITY.**

All water meters and ~~outside remote counter-units~~ *reading devices* installed or used in connection with the city water system shall be purchased, installed, repaired, replaced, removed, read and recorded by and at the expense of the city. (Prior code § 29-33)

**Section 11.** Section 13.08.330 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.330 PROPERTY OF CITY.**

Water meters and ~~outside remote counter-units~~ *reading devices* installed or used in connection with the city water system shall be and remain the property of the city. (Prior code § 29-34)

**Section 12.** Section 13.08.340 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.340 LOCATION.**

- A. Except as otherwise provided herein, all water meters installed upon any premises within the corporate limits of, to measure and record the amount of water furnished by the city and used upon such premises, shall be located and installed inside the boundary line of the premises and in the basement, utility room or other frost proof room or building on the premises. The Public Works Director shall determine the location and method of installing such meter or meters and ~~outside remote counter-units~~ *reading devices*; and the city shall not be responsible or liable for damages resulting from the location and installation of meters or ~~outside remote counter-units~~ *reading devices*. The property owner will agree to protect and hold the city harmless from claims for such damages if the installation is accompanied in a workmanlike manner.
- B. Any owner of any property upon which water is used, except those having no basement or utility room or those having an outside hydrant only, who desire that the water meter be installed outside the boundary line thereof, may file with the Public Works Director a written application for such installation. If approved, such meter will be installed in a frostproof meter box. The meter box shall be located and constructed according to minimum standards and specifications of the Public Works Director who is authorized and directed to prepare such standards and specifications. If approved, the owner shall do all the work for the installation under the supervision of the city, at his or her own expense. With the application, the property owner shall pay such fees as may be established by the city council. (Prior code § 29-35)
- C. *All plumbing and equipment of utility user, including outside hydrants and faucets, shall be connected, at the expense of the utility user, to the service piping in such a manner that all water used by utility user shall pass through the meter.*

**Section 13.** Section 13.08.350 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.350 REPAIRS.**

Where a meter or ~~outside remote counter-units~~ *reading device* is damaged or broken by freezing, steam, hot water or other cause, the property owner shall be liable for the expense of the repair or replacement of the meter or ~~outside remote counter-units~~ *reading device*. (Prior code § 29-36)

**Section 14.** Section 13.08.370 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.370 MONTHLY READING.**

All water meters or ~~outside remote counter-units~~ *reading devices* shall be read once a month and a proper record of the water consumption through such meter kept by the city, in permanent form, but failure of the city to read such meters or ~~outside remote counter-units~~ *reading devices* shall not be deemed to be a waiver upon the part of the city of any of the obligations of payment upon the part of the owner or occupant of such premises. (Prior code § 29-38)

**Section 15.** Section 13.08.380 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.380 RIGHT OF ENTRY TO READ, INSPECT, TEST, ETC.—FAILURE TO ALLOW ENTRY.**

Employees of the city shall have the right to enter upon and return from property upon which a water meter and ~~outside remote counter units~~ *reading device* is located at any time during reasonable working hours for the purpose of reading, inspecting, testing, repairing, adjusting, relocating, removing or replacing the meter or ~~outside remote counter units~~ *reading device*. In the event such entry is refused or in the event such owner or occupant does not contact the city and arrange to allow employees of the city to enter upon and return from such premises within ten (10) *calendar* days after written request to make such entry, the city shall have the right to shut off the water to such property without further notice to the owner or occupant. (Prior code § 29-39)

**Section 16.** Section 13.08.390 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.390 DEFACING, INJURING, BYPASSING, ETC.**

It is unlawful for any person to deface, inure, loosen, take apart or otherwise tamper with any water meter or ~~outside remote counter units~~ *reading device*, or to adjust or to attempt to adjust the same to reduce the reading thereof, or to conduct water around such meter, or to attempt in any other manner whatsoever to interfere with the correct reading by such meter of the total amount of water furnished the premises where such meter or ~~outside remote counter units~~ *reading device* is installed. City employees shall have free access at any reasonable time to all premises supplied with any utility service by the city for the purpose of examination in order to protect the utility service from abuses. (Ord. 16-003 § 1, 2016; prior code § 29-40)

**Section 17.** Section 13.08.410 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.410 COMPUTATION WHEN METER CANNOT BE READ.**

When a meter or ~~outside remote counter units~~ *reading device* is broken or defective or for any reason does not correctly measure and record all the water used on any premises, or if city employees are unable to read a meter or ~~outside remote counter units~~ *reading device* after two attempts to read same, the consumption for billing calculations shall be assumed to be the same as the equivalent month one year prior if a meter was in use on such premises and, if a meter was not in use or if other conditions exist which may significantly change the prior consumption, the city shall make an estimate of consumption. Any such estimate shall not preclude the billing for all actual consumption in the event a meter on such premises may be successfully read. (Prior code § 29-42)

**Section 18.** Section 13.08.480 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.480 VOLUNTARY DISCONTINUATION OF WATER SERVICE.**

- A. *Any utility user may request discontinuation of service. Discontinuation must be accomplished at the curb stop.*
- B. Any ~~utility user~~ *property owner* may request termination of service. Termination must be accomplished by physical termination of the water supply at the ~~curb~~ *corporation* stop. ~~If for any reason the water service cannot be terminated at the curb stop, the party responsible for maintenance of the curb stops under this chapter shall cause necessary repairs.~~
- C. Once a renter has paid a utility deposit to the city for his or her utility service, the city shall not ~~shut~~ *discontinue or terminate* the renter's water except pursuant to the Riverton Municipal Code. (Ord. 00-006 § 5, 2000; prior code § 29-47.1)

**Section 19.** Section 13.08.510 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.510 BILLING FOR SERVICES.**

The utility user is specifically responsible for initiating new service, establishing billing addresses and other information necessary to assure the proper billing of a utility account. The ~~water utility~~ *city* records shall constitute the official record for all billing and charges as provided herein. (Ord. 00-006 § 8, 2000; prior code § 29-50)

**Section 20.** Section 13.08.520 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.520 SHUTTING WATER OFF FOR UTILITY PURPOSES.**

The ~~water utility~~ *city* may cause the water to be shut off from any main when necessary for repair, connection, extension and such other times as shall be necessary to maintain and extend the utility. (Prior code § 29-51)

**Section 21.** Section 13.08.530 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.530 SIZE.**

The minimum size of water mains required to serve any part of the city shall be six inches *or as required by the Wyoming Department of Environmental Quality*. All subdividers or developers shall install the necessary water mains, valves, hydrants and all appurtenant work at their sole expense. The actual size of water mains required for a subdivision or development shall be determined *by a professional engineer licensed by the State of Wyoming and accepted by* the city, based on design flows for maximum consumption and the necessary fire flows. Should the design size of water mains be exceeded to provide future capacity for adjacent lands or to provide an adequate loop system, the city may enter into an agreement with the individual required to install such mains where the city shall reimburse the individual for the actual difference in cost of materials from the main size required by the subdivision or development to the size established by the city. Only the costs for increased size materials, including pipe fittings and valving, shall be reimbursed. (Prior code § 29-52)

**Section 21.** Section 13.08.600 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.600 OWNERSHIP AND WARRANTY.**

All water mains shall be dedicated to the city upon formal acceptance by the Public Works Director on behalf of the city. In no case shall any water main connected to the city system be held in any ownership other than that of the city. The installer of such water mains shall guarantee the installation for *a minimum of* one year from and after the date of acceptance by the city. (Prior code § 29-59)

**Section 22.** Section 13.08.620 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.620 WATER COOLING SYSTEMS.**

It is unlawful for any person to use water from the water utility as a cooling medium in any appliance, device or apparatus in excess of five tons of cooling capacity unless such apparatus can be shown to be a recyclical system with retention and reuse *without an approved backflow prevention device*. (Prior code § 29-61)

**Section 23.** Section 13.08.650 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

**13.08.650 USE OF SUPPLEMENTAL WATER SOURCES.**

Any person receiving city water may have a separate and supplemental source of water for irrigation or any other special use, except for domestic use, subject to the following conditions:

- A. In the event the supplemental source of water is an underground well, a copy of the well permit issued by the state engineer shall be filed with the Public Works Director.
- B. No installation of pipe, pump, valve, plumbing or any part thereof of the supplemental water supply shall be interconnected in any way to any pump, pipe, valve, plumbing or plumbing fixture which supplies water from the city.

- C. To protect the health, safety and welfare of persons served by the city water system, the city may at any time, without notice, discontinue water service or disconnect the water service, or both, to any person that utilizes a supplemental source of water, should the city obtain evidence that a cross connection exists between the city water system and the supplemental source of water.
- D. When notified, a city water consumer shall immediately disconnect and remove any pipe, pump, valve or fixture which the city finds to be a potential cross connection between the city water system and the supplemental source of water.
- E. The city may, at any time, require any city water user who has a supplemental source of water operated under pressure to install an approved ~~air-cap type~~ *double check valve or other* cross connection control device *approved for low hazard back siphonage and back pressure the Wyoming Department of Environmental Quality*. The installation shall be made at the city water user's expense and shall be installed at the location of the meter or at such other location approved by the city. (Prior code § 29-64)

**Section 24.** Section 13.08.670 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

***13.08.670 CROSS-CONNECTIONS***

*No cross-connections are permitted which, in the opinion of the city, may contaminate the city water system. The water may be turned off to premises with cross-connections by the city until such cross-connections are removed.*

**Section 25.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 26.** This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING November 20, 2018

PASSED ON SECOND READING December 4, 2018

PASSED ON THIRD READING December 18, 2018

PASSED AND APPROVED this 18<sup>th</sup> day of December 2018.

CITY OF RIVERTON, WYOMING

By: \_\_\_\_\_  
John L. Baker  
Mayor

ATTEST:

\_\_\_\_\_  
Kristin S. Watson  
City Clerk/Human Resource Director

**ATTESTATION**

I, Kristin Watson, Clerk of the City of Riverton, attest that Ordinance No. 18-017 was passed, adopted, and approved by the Governing Body of the City of Riverton on the 18<sup>th</sup> day of December 2018. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being *December 28, 2018*.

\_\_\_\_\_  
Kristin S. Watson  
City Clerk/Human Resource Director