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Chapter 1 Utilities – Culinary Water

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4.01.010 Management and Control

The Town shall have exclusive control and management of the Town's culinary water system, and shall have exclusive management and control of the supply and distribution of water to all users within the corporate limits and to those that receive water from the Town that are outside of the corporate limits. The Town shall from time to time make such rules and regulations as are necessary for the complete management, control, expansion, improvement, distribution, and supplying of culinary water to the users.

4.01.020 Definitions

A. Water Service Line. The line running from the Town's water main to the structure or property to be served.

B. Water Utility. All water and water rights, waterworks and appurtenances thereto, machinery, equipment and supplies used by the Town to supply consumers with water; provided, that the water service line from the meter or curb stop to the structure or property served shall be regarded the property of the owner

of such structure or property owned.

C. Emergency. An emergency is defined as: if the results of not taking immediate action would cause either harm to person(s) or property damage.

D. Service Area. Is one or more, unique, unincorporated, geographic areas that the Town Council has established based upon similar costs of providing service and may use an average water rate for all customers in that service area. Service areas are established as:

Service Area #1 – (Clark Lane, south of Choke Cherry Drive)

The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 35N, Range 119W of the 6th Principal Meridian, Wyoming

Service Area #2 – (East of Muddy String, north of North Forest Drive)

Prater Canyon Estates #1

Service Area #3 – (North of Cedar Drive near the end of the road)

A parcel of land, being the north 40 acres of Homestead Entry Survey 65, Section 30 Township 35 North, Range 118 West of the 6th Principal Meridian, Wyoming, being more particularly described as follows:

Beginning at Corner 1 of said Homestead Entry 65; thence East 20.00 chains to Corner 2 of Homestead Entry 65; thence South 20.00 chains to Corner 3 of Homestead Entry 65; thence West 20.00 chains; thence North 20.00 chains to the point of beginning.

Service Area #4 – (Area South of the Postal Unit on Vista Drive)

4.50 AC. PT S2NW4 – (Thomas)

2.00 AC. PT S2NW4 - (Doctor Melton)

Service Area #5 – (Area east of Cedar Creek Golf Course Hole #4 Tee Box)

The West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 34N, Range 118W of the 6th Principal Meridian, Wyoming.

4.01.030 Reservation of Rights by the Town

The use of water under the provisions of this chapter shall not constitute or be deemed to be a relinquishment of any water or water right by the Town and the Town reserves the full right to determine all matters in connection with the control and use of such water.

4.01.040 Agreement to Rules and Regulations Prerequisite to Commencement of Services

No person may be served with water from the water utility unless they agree to all the rules and regulations of the Town pertaining to the use of such water. Use of the water from the water utility shall constitute acceptance of the rules and regulations.

4.01.050 Town Not Liable for Damages

The Town shall not be liable to the users for any damages caused by interruptions of water supply, scarcity of water, water quality, accidents to works or mains, or during time of alterations, additions, or repairs, or for any other avoidable or unavoidable causes.

4.01.060 Damaging Utilities Property or Equipment

No person shall in any way damage any property, equipment or appliance constituting or being a part of the water utility. (See: TITLE 13 Municipal Court Bond Schedule)

4.01.070 Trespass or Interference with Water Utility's Property

No person, other than those authorized by the Town, shall trespass upon the property of the Water Utility or tap any water mains or make connections therewith or in any way interfere with the Water Utility or the property, equipment, pipes, valves or 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.

4.01.080 Water Conservation, Waste Prohibited and Restrictions on Use

- A. All water users shall keep their service pipes, connections, and other apparatus in good repair at their own expense and in such condition that they will not waste or permit the waste of water.
- B. No person will use water from their water service on property not connected to the Town Water Utility.
- C. In time of scarcity or when the Town is unable to furnish a sufficient supply of water for all purposes, the Mayor may, place restrictions on the use of water to such an extent as may be necessary for the public good.

4.01.090 Discontinuance of Service-Failure to Comply with Regulations or Pay Charges

- A. If any water user fails to comply with the provisions of this ordinance, the Town may discontinue water service until the water user is in compliance and has paid any and all costs incurred because of the non-compliance.
- B. In case any water user shall fail to pay all charges as prescribed by this ordinance, the Town shall shut off water to the premises, building, house or lot, and water shall not be turned on again until all charges, including all penalties and interest, have been paid, provided, that the Town shall not shut off the water until the owner and/or occupant shall have been given ten (10) calendar days' notice in writing of the Town's intent to shut off the water. The ten (10) days notice shall be deemed to

have been given ten (10) days after the notice has been mailed by first class mail to the mailing address as shown on the records of the Water Utility.

- C. Payment in full, for reinstatement of water service, must be by cash, or certified funds. After receipt of payment by the Town, the water service will be turned back on at as mutually agreeable time.
- D. In case a water service account is delinquent for a period of 24 months or more the water utility may at its option write off the delinquent bill as a bad debt and remove the water service from the property. Payment of a System Development Fee at the current rate will be required to reestablish water service to the property.

4.01.100 Water Service Connections

- A. Any person desiring a water service connection shall make a written request to the Town to provide the connection.
- B. The fee charged by the Town to provide the connection shall accompany a request for a water service connection. The amount of the fee for providing a water service connection will be established by **Appendix 4.10-A Culinary Water Service Fees** and shall include the connection, water service line from the main to the meter and the Town's water meter.
- C. Except in case of an emergency, no person other than those authorized by the Town shall turn the water on or off water to any premises. Water will not be turned on to a residence unless an occupant or authorized agent is present.

4.01.110 Maintenance

The owner of any property connecting to the Water Utility shall be responsible for the maintenance of the water service line from the meter or stop and waste valve to the structure being served and shall keep his line in good condition at his expense so as to prevent waste of water. All Water Utility water meters and stop and waste valves will be maintained by the water utility. The cost of repairs resulting from damage, neglect or abuse by the water user shall be paid for by the user.

4.01.120 Disconnecting Service from Premises

When a water user desires to disconnect his premises from the Water Utility, the user shall not be permitted to take up that portion of the line between the main and the meter and all appliances from the water main, to and including the meter and stop and waste valve, shall remain in the ground and in undisturbed condition. Any damage to the meter, stop and waste valve or other property of the water utility or violation of these requirements will result in fees being assessed to the property owner for the actual cost of replacement or repair of damaged or missing items and a fine not to exceed \$250.00.

4.01.130 Tampering or Interfering

It shall be unlawful for any water user or for any other person to tamper or interfere with any meter or meter seal or to so arrange his water service or piping so that the use of water will not actuate the meter.

4.01.140 Shutting Water off at Street Mains

Water may be shut off from any street main when necessary to make repairs or to make connections or extensions of the mains or to perform any other work necessary to maintain the water utility. Such shut offs may only be performed by employees of the Town.

4.01.150 Water Usage Fees

An annual, quarterly or monthly water usage fee will be charged for each water connection. The water usage fee charged for use outside of the corporate limits may be up to 1 1/2 times the rate charged within the corporate limits. The fee schedule will be established by separate ordinance.

4.01.155 Service Availability Fees

A monthly Service Availability fee will be charged to all vacant lot owners that do not have a water meter on the lot. The service availability fee consists of two parts, a loan repayment – depreciation expense and a administrative fee. The administrative fee is set annually in the town fee schedule and placed into the water operating budget. The loan repayment - depreciation expense is set annually based on our loan repayment schedule or the amount we are required to collect for depreciation. This portion of the fee shall be placed into the Loan Repayment and System Reserves.

4.01.156 Plant Investment Fee

A “Plant Investment Fee” is a one-time fee to protect the water systems future capacity and the integrity of its operational intent. The fee will be assessed to minimize any additional, future costs to the existing Water System’s Users.

The Town’s water system was designed for full build out, to support the water demands within the corporate limits and committed service areas outside the corporate limits as described in the “Star Valley Ranch Groundwater Level II Study” Final Report, dated February 2009.

Additional users to the system beyond the effective date of Ordinance 2018-01, town boundaries may require additional water sources, storage capacity and other system upgrades or additions, all of which shall be at the applicant’s expense, constructed to Town’s water system specifications including fire suppression, reviewed by the water board and approved by the Town’s Engineer. These costs will be assessed to the Applicant. Payment of the Fee will be part of a Subdivision/Development Agreement. Terms and conditions as agreed upon by the Applicant, Water Board and Town Attorney, then approved by the Town Council.

Requests for service requiring the Town's commitment for the future service shall be accompanied with:

1. A preliminary Plat showing all lots that require a connection, either presently or in the future, or as part of a Subdivision/Development.
2. A complete set of Plans and Specifications for the water system, consistent with the Town's Water System's standards, signed by a Wyoming Professional Engineer and approved by the Town's Engineer.
3. If applicable, the plans shall show all phases of the development.

4.01.160 Billing and Payment

- A. An account shall be established for each water connection. All accounts shall be carried in the names and addresses of the property owner, agent, tenant, purchaser or lessee of each such parcel having the water connection.
- B. At least once a year and not more than once a month, a statement of each account, shall be prepared and sent to the name and mailing address appearing on the account. Nothing shall prevent accounts from being divided into groups with different billing dates for the purpose of establishing convenient billing cycles.
- C. Statements shall be due and payable at the office of the Town (Town Hall) immediately upon receipt of the statement, and shall be delinquent if not paid in accordance with the fee schedule found in Appendix 4.10-A. Payments may be made in person or by U.S. mail and may be tendered in the form of cash, cashier's check, money order or personal check. Payment may also be made via the online bill-pay function of the water user's checking account.
- D. Property owners or the owner, agent, tenant, purchaser, or lessee of each property for which the water connection is made shall, each and all, be jointly and severally liable for each payment of charges and fees. Failure to pay any charges when due shall constitute a violation of the provisions of this ordinance. Collection of charges and fees under this ordinance when delinquent may be enforced by civil action brought by the Town for the Town in any court of competent jurisdiction, and this remedy is cumulative and not exclusive and shall be in addition to all penalties provided by the ordinance for any violation of any provisions hereof. No change of ownership or occupation shall affect the application of this section.

Chapter 4 Water Conservation

(Ord. 2008-02; 6/17/2008)
(Ord. 2016-07; 12/14/16)

Sections:

[4.04.010 General](#)

4.04.020 Educational

4.04.030 Town Preparedness (Ord. 2016-07; 12/14/16)

4.04.040 Water Shortage Classifications (Ord. 2016-07; 12/14/16)

4.04.050 Authority

4.04.060. Fines

4.04.070 Enforcement (Ord. 2016-07; 12/14/16)

4.04.010 General

The Town of Star Valley Ranch wants to be prepared in case of a water emergency. We do not want to be accused of “crying wolf” but want to be prepared in case of an unforeseen problem. This water Conservation Plan is designed to exercise proper stewardship over our water resources.

Although water conservation can be imposed on the public, it must be voluntarily and willingly accepted as a shared responsibility between the water providers and the water users of the Town to be truly effective. The Town can succeed in meeting its long-term water conservation and supply goals and its commitment to maintaining Star Valley Ranch's status as a desirable place to live only if water users are willing to embrace and practice a conservation life style.

This Water Conservation Plan will remain in effect for the time period required for the Town to develop and implement additional water sources and storage to meet the Town water user's demand, successfully install meters on all services, and establish and bill for water usage based on a metered usage. While the Town believes this will take approximately three years, many of the factors critical to meeting this time period are not under the control of the Town.

4.04.020 Educational Programs

The Town may inform water users of the status of culinary water conditions and the need to conserve by methods of communication that include the following:

Emails

Website Articles

Flyers

Water Customer Mailings

Newsletter Articles

Newspaper Articles

Town Hall Conservation Awareness Meeting / Classes

Town Entrance / Speed Sign Poles – Top Flagged

Yellow – Level I

Orange – Level II

Red – Level III

Possible “Incentive” Program (Conservation Citizen of the Year)

4.04.030 Town Preparedness

The Town will maintain an awareness of water supply and use conditions and prepare for water shortage conditions by implementing or continuing actions that include the following:

- A. Maintain Community Water Advisory Committee. The Community Water Advisory Committee will provide recommendations of water emergency classification to the Mayor. It is chaired by the Councilman assigned the Utilities Department. The Town Council recommends individuals to serve on the committee. The Committee is selected by Mayor and confirmed by the Council.
- B. Inspect and test water wells to produce maximum capacity.
- C. Continue "Leak Test" Project and repair of major leaks.

4.04.040 Water Shortage Classifications

The following "Levels" are guidelines, set based upon the advice of the Community Water Advisory Committee, however, the Mayor may increase the declared "Level" based on a perceived pending public health and safety issue.

A. On Going Conservation Recommendations and Actions

Continue Education Programs

No water hookups will be made until a building permit has been issued.

Encourage drought resistant landscaping projects.

Encourage repair of water leaks in homes.

Encourage installation of water saving devices.

B. Level I – Moderate YELLOW - (Storage tanks are not refilling in a 24 hour period, but have a high level mark of at least 50% of capacity during that period). The following limitations, actions and requests are implemented upon the Mayor's declaration that a Level I water shortage classification exists:

Ongoing conservation measures plus:

- Initiate alternate evening watering periods for the purpose of home yard and outside irrigation only based on street address:
- House numbers ending in EVEN number may water Sunday evening, Tuesday evening, and Thursday evening, watering period limited from 7:00 PM thru 7:00 AM the following morning.
- House numbers ending in ODD number may water Monday evening, Wednesday evening and Friday evening, the watering period limited from 7:00 PM thru 7:00 AM the following morning.

No open end hose watering. Must use a restrictive device on the end of the hose.

No more than one hour per sprinkle setting (location or area).

No outside watering on weekends from Saturday 7:00 AM thru Sunday 7:00 PM

No outside watering the evening before a national holiday

No washing of vehicles, driveways, or any outside cleaning with water

No recharging of yard fountains or artificial streams

C. Level II – High ORANGE - (Following a minimum of three (3) straight days of “(Moderate) Level I Condition” OR tanks are less than 10% of capacity). The following limitations, actions and requests are implemented upon the Mayor’s declaration that a Level II water shortage classification exists:

Level I measures plus:

No landscape irrigation

Request:

Limit toilet flushing

Collect warm-up water for use on plants

Full load washing machine only

Full load dish washing only

Reduce bath water level and shower time by ½

D. Level III – Extremely High” RED - (Negative supply to demand or a minimum of three (3) days of Level II). The following limitations, actions and requests are implemented upon the Mayor’s declaration that a Level III water shortage classification exists:

Level II measures plus:

No outside watering.

Request:

Drink or wash with “warm-up” / “cool down” water

Limit domestic use

1 bath / week / person

No washing machines

4.04.050 Authority

The Mayor has the authority to declare a water emergency, determine the Water Shortage Classification and implement limitations and actions.

4.04.060 Fines

Any water user that violates any provisions of this chapter, including noncompliance with limitations and restrictions of water use under a level I, II, or III water classification, shall be subject to fines and actions by the Town. (See: TITLE 13 Municipal Court Bond Schedule)

4.04.070 Enforcement

A. Town Law Enforcement Officer(s) and/or Town Special Municipal Officer(s) have the authority to issue citations for violations of this chapter.

B. The Municipal Court and Town Judge may be utilized to hear cases resulting from enforcement of the requirements of this chapter.

Chapter 6 – Liquid Assets Management

(Ord. 2018-07; 7/11/2018)
(Ord. 2018-15; 10/24/2018)

Sections:

- 4.06.010 Reserves-General
- 4.06.032 System Reserve
- 4.06.034 Loan Repayment Reserve
- 4.06.036 Plan Investment Reserve
- 4.06.038 Capital Equipment Reserve

Section: 4.06.010 Reserves – General

Definitions

Reserves (fund balances)

A fund balance is defined as the cumulative difference of all revenues and expenditures since the government's creation. Thus, a current fund balance results from the cumulative financial decisions made by the governing body since the government's formation! Positive fund balances are also called reserves. However, not all of these funds are available for spending

Restricted (required by others, set by Ordinance)

This classification includes amounts for which constraints have been placed on the use of resources either (a) externally imposed by creditors (such as through a debt covenant), grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation.

Committed (self imposed by Ordinance)

This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action of the Town Council. These amounts cannot be used for any purpose unless the Town Council removes or changes the specified use by taking the same type of action (ordinance or resolution) that was employed when the funds were initially committed. This classification also includes

contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements.

Assigned (set by Budget)

This classification includes amounts that are constrained by the Town’s intent to be used for a specific purpose but are neither restricted nor committed. This intent can be expressed by the Town Council or Town administrator. No other governing body or officials have this authority delegated to them. This classification also includes the remaining positive fund balance for all governmental funds except for the General Fund.

Unassigned

This classification includes the residual fund balance for the General Fund. The unassigned classification also includes negative residual fund balance of any other governmental fund that cannot be eliminated by the offsetting of assigned fund balance amounts.

Section: 4.06.032 System Reserve

This section authorizes the creation and use of a System Reserve for the sole purpose of collecting sufficient funds for the repair and upgrades of the existing water system’s components and the replacement of portions of or the entire system in the future. This reserve is classified as a **Committed Reserve**.

A. Objective

Set aside sufficient funds to repair, replace and upgrade the existing system as needed to protect the water system’s capacity and the integrity of its operational intent.

B. Anticipated Size

The objective is to have a reserve balance commensurate with planned upgrades to the system and the risk of replacing large portions of the system.

C. Source of Funds

1. The Town shall budget each year the larger of (1) annual anticipated Depreciation Expense for the water system’s infrastructure or (2) the total of annual water loan payments to the State of Wyoming. All excess funds following the allocation to the Loan Repayment Reserve shall be deposited in this reserve.
2. Town Council by resolution or ordinance may deposit additional funds into this reserve.

3. At the inception of this ordinance, the combining of two existing reserves; Water Depreciation Reserve and Water Connection Fee Reserve shall be transferred by resolution into this reserve.
4. All earnings from investments of this reserve's funds shall be reinvested into this reserve.

D. Authorized Uses

Funds shall be used solely for the repair- upgrades of the water system's components to maintain the capacities and capabilities of the system and for the replacement of portion of or the entire system .

E. Administration

This section authorizes the Town Clerk to deposit, withdraw and pay obligations that are in full compliance with Title 4-Water-Chapter 6-Liquid Assets Management.

Section: 4.06.034 Loan Repayment Reserve

This section authorizes the creation and use of a Loan Repayment Reserve for sole purpose as a depository of equal, monthly deposits from monthly water fees and to ensure the availability of funds to meet loan obligations on time and in full. This reserve is classified as a **Committed Reserve**.

A. Objective

To ensure the Town's ability to meet all payments associated with the water project loans from the various agencies of the State of Wyoming.

B. Anticipated Size

An amount, such that the reserve never goes below \$1.00 during any fiscal period.

Reserve shall be sufficient to meet:

1. Each annual payment of all water loans.
2. The anticipated cost for interim interest or fees associated with a water system construction project loan
3. Known future payments related to in-process water project loans

C. Source of Funds

1. Funds collected from a portion of the Base Fees & Service Availability Fees required to meet the annual total of the water system's loan payments
2. Town Council by resolution or ordinance may deposit additional funds into this reserve.

D. Authorized Uses

Funds are for exclusive use to meet the Town's obligations for:

1. Each annual payment of all water loans, on time and in full.
2. Can be used to cover the cost of any interim interest or fees associated with a water system construction project loan

E. Administration

This section authorizes the Town Clerk to deposit, withdraw and pay obligations that are in full compliance with Title 4-Water-Chapter 6-Liquid Assets Management.

Section: 4.06.036 Plant Investment Reserve

This section authorizes the creation and use of a Plant Investment Reserve for sole purpose as a depository of Plant Investment Fees (as described in Chapter 10) and use of funds for "expansion" costs of the existing water system's Source and Storage components. This reserve is classified as a **Committed Reserve**.

A. Objective

To protect the water system's future capacity and the integrity of its operational intent. The funds shall be used to minimize the cost of any additional, expansion to the existing Water System Users.

B. Anticipated Size

The sum of the number of units (Title 4 Water, Chapter 10 Water Service Fees 4.10.035) approved by the Town Council multiplied by the Plant Investment Fees as published in the Water Ordinance Appendix (Title 4, Chapter 10-A Culinary Water Service Fees) less any expenditures for system expansion.

C. Source of Funds

1. Sum of and exclusively from the Plant Investment Fees collected.

2. All earnings from investments of this reserve's funds shall be reinvested into this reserve.

D. Authorized Uses

1. Funds shall be used solely for the current and future expansion of the Water System to provide additional source and storage capacities and capabilities resulting from the additional demands for the added users.
2. Project selection shall be by Ordinance only. (See Title 4–Water, Chapter 6–Liquid Assets’ Management, Section: 4.06.020 Withdrawal Authorization)

E. Administration

This section authorizes the Town Clerk to deposit, withdraw and pay invoices that are in full compliance with Title 4-Water-Chapter 6-Liquid Assets Management.

Section: 4.06.038 Capital Equipment Reserve

This section authorizes the creation and use of a Capital Equipment Reserve as a depository to accumulate funds for future acquisitions of Water Department Equipment. This reserve is classified as an **Assigned Reserve**.

A. Objective

Provide the Town a mechanism to allocate funds in one or more fiscal budget years for planned equipment acquisitions in future years, thus avoiding financing charges for time payments, while spreading the costs over more than one fiscal year.

B. Anticipated Size

An amount equal to the anticipated costs of the planned equipment acquisition costs

C. Source of Funds

1. Funds budgeted from the collection of Water Fees
2. Town Council by resolution or ordinance may deposit additional funds into this reserve.

D. Authorized Uses

1. Funds are for exclusive use to meet the Town's anticipated acquisition of equipment as planned and designated in previous and current Capital Budgets, and
2. This reserve may be used to accumulate an end-of-lease purchase option.
3. Based on the needs of the Water Department, the Town Council may change, by Resolution, the designated equipment to a more critical piece of equipment.
4. Any excess funds as deemed by a Town Council Resolution may be transferred back to the Water Department's "Unencumbered Funds – Cash" account.

E. Administration

This section authorizes the Town Clerk to deposit, withdraw and pay obligations that are in full compliance with Title 4-Water-Chapter 6-Liquid Assets Management.

Chapter 10 - Water Service Fees

(Ordinance 2011-13; Effective 4/15/2011)
 (Ordinance 2011-11; Effective 12/15/2011)
 (Ordinance 2014-12; Effective 12/10/2014)
 (Ordinance 2016-07; Effective 12/14/2016)
 (Ordinance 2018-08; Effective 7/11/2018)

Sections:

[4.10.010 Basis for Fees](#)

[4.10.020 Billing Statements and Charges](#) (Ord. 2016-07; 12/14/2016)

[4.10.030 Water Service Connection Fee](#) (Ord. 2013-04; 12-18-13)(Ord. 2016-07; 12/14/16) (Ord.2018-08; 7/11/2018) (Ord.2018-16; 10/24/2018)

[4.10.035 Plant Investment Fee](#) (Ord. 2018-01; 5/9/18)

[4.10.040 Base Fee](#) (Ord.2018-08; 7/11/2018) (Ord.2018-16; 10/24/2018)

[4.10.041 Base Fee Credit](#)

[4.10.042 Service Availability Fee](#) (Ord. 2015-10; 12/9/2015)(Ord. 2016-07; 12/14/16)

[4.10.050 Water Service Fee](#) (Ord.2018-16; 10/24/2018)

[4.10.060 Turn On/Turn Off Fee](#)

[4.10.080 Special Winter Water Service Fee and Designated Periods.](#)

[4.10.090 Penalties](#)

[4.10.110 Interest](#)

[4.10.120 Discontinuance of Service for Failure to Comply with Regulations or Pay Charges.](#)(Ord. 2016-07; 12/14/16)

[4.10.130 Appeals](#)

Appendix 4.10-A Culinary Water Service Fees-Effective (Ord. 2013-04; 12/18/2013) (Ord. 2014-12; 12/10/2014) (Ord. 2015-10; 12/9/2015)(Ord. 2016-07; 12/14/16)(Ord. 2018-01;5/9/18)

4.10.010 Basis for Fees

The Town of Star Valley Ranch (Town) will charge fees in the amounts established in Appendix 4.10-A for culinary water services. The Town may, by ordinance, periodically revise the rates established in Appendix 4.10-A.

4.10.020 Billing Statements and Charges

A. The Town may issue a monthly billing statement for all properties that have a water service connection. The billing statement will be for water services for a billing period that approximates one calendar month.

B. The Town may issue a monthly billing statement for all properties that have a water service connection. The billing statement will be for water services for a billing period that approximates one calendar month.

The Town will issue a billing statement to the property owner or designated recipient of record. It is the responsibility of property owners to advise the Town if the billing statement is to be directed elsewhere. The owner of the property is responsible for payment of any water services bill in a timely manner and directing the billing statement elsewhere does not negate that responsibility.

The Town reserves the right to estimate the Water Service Fee, based on previous usage, if for reasons beyond its control water meter readings cannot be obtained or properly used. Payment of this estimated fee does not negate the payment for actual water used.

A statement for a partial billing period, due to change of owner or occupant arriving or leaving during a billing period or for any other reason will include a full billing period base fee and the quantity of water used in the partial billing period provided that the prior owner or occupant gives notice to the Town prior to vacating the property.

All fees and charges are due and payable 10 calendar days following the billing date. The account will be delinquent if not paid within twenty one (21) calendar days of the billing date.

4.10.030 Water Service Connection Fee

The fee to be charged by the Town for providing a new culinary water service connection, including the connection to the water main line, meter and stop and waste valve will be based on service size. The Water Service Connection Fee must be paid in full before the water service connection will be made. For a new Residential and new Commercial water service connection, any fees in excess of the actual installation costs will be placed into the System Reserve.

4.10.035 Plant Investment Fee

The Town's existing water system is designed and built to support the fully built out connections within the corporate limits and committed service areas outside the corporate limits as described in the "Star Valley Ranch Groundwater Level II Study" Final Report, dated February 2009. The addition of any additional households/parcels/commercial users added to the town or water districts created out of the town corporate limits, will be required to pay a Plant Investment Fee. The fees are to pay for the costs associated with the requirements to support the additional users. The revenue from this fee shall be deposited in a Plant Investment Reserve.

4.10.040 Base Fee

The Town will charge a base fee, each billing period, based upon service size, to all properties that have a water service connection. This fee is based on the capital investment in the Town's water infrastructure, loan payments for such investments, payments as required by grantees and lenders, and other operational costs determined to be associated with the Town's Water System.

4.10.041 Base Fee Credit

The Town may apply a Credit to the Base Fee for Water Services within the Town corporate limits comprised of a portion of the 5 mil Property Tax and the 5th Penny Sales Tax. This credit is NOT available to Water Service connections outside the Town's corporate limits.

4.10.042 Service Availability Fee

A Service Availability Fee will be charged to all vacant lot owners that do not have an existing water meter on their lot(s) located within Town boundaries..

4.10.050 Water Service Fee The Town will charge a Water Service Fee to all properties that use water during the billing period. The Water Service Fee will be based upon the annual water system maintenance cost as authorized by annual water department operating budget. The water meter readings determine the amount of water used. The meter readings will normally be made at approximately the same time each month so that the billing period approximates a month time frame.

4.10.060 Turn On/Turn Off Fee

The Town will charge a fee for the Town's water department employees to either turn the water on or off as defined in Appendix 4.10-A.

It will be a violation for Individuals to turn their own water on or off at the curb stop or in the meter pit or to designate an agent to do so for them. Only authorized agents of the Town shall have access to either the curb stops or meter pits. Violators will be responsible for fines, penalties, attorney fees, and court costs as well as the cost of any repairs to valves, meters or other equipment or parts caused by such violation.

4.10.080 Special Winter Water Service Fee and Designated Periods

The Town may elect to establish a "Special Winter Water Service Fee" during designated winter months. Appendix 4.10-A will define any "Special "Winter Water Service Fee" and designated periods. Although this provision is implemented for the benefit of properties that may need to run a constant slow stream of water to keep pipes within their properties from freezing or to keep the Town's water mains from freezing it will apply to all water users that use water during the billing period.

4.10.090 Penalties

- A. The account will be delinquent if not paid within twenty one (21) calendar days following billing date.
- B. A penalty for late payment, as established in Appendix 4.10-A, will be assessed on payments that are delinquent and will be assessed on the total amount of any delinquent bill.
- C. A penalty for unauthorized access, as established in Appendix 4.10-A, will be charged if the service is turned on or off at the curb stop or in the meter pit by anyone other than an authorized agent of the Town.
- D. All costs and attorney fees resulting from any infraction or collection action will be added to the amount due as part of the total amount due.
- E. A returned check fee will be charged for checks that are not honored for payment

4.10.110 Interest

Interest rates, as established in Appendix 4.10-A, will be charged on the total amount of any delinquent bill.

4.10.120 Discontinuance of Service for Failure to Comply with Regulations or Pay Charges

- A. If any water user fails to comply with the provisions of this chapter, the Town may discontinue water service until the water user, landowner, or subsequent property owner is in full compliance and has paid any and all costs incurred because of the noncompliance.
- B. Delinquent payments shall attach to the property. The owner of the lot shall be held responsible for any delinquent payments that were made during the time that the property was leased or rented to any other person. If the property is sold, the new lot owner shall be required to bring current all delinquent payments prior to the water being turned on to the property. The Town of Star Valley Ranch may also file a lien against the property for delinquent payments.
- C. In case any water user shall fail to pay all charges as prescribed by this chapter, the Town may shut off water to the premises, building, house or lot, and water shall not be turned on again until all charges, including all penalties and interest,

have been paid, provided, that the Town shall not shut off the water until the owner and/or occupant shall have been given ten (10) days' notice in writing of the Town's intent to shut off the water. The ten (10) days notice shall be deemed to have been given ten (10) days after the notice has been mailed by first class mail to the mailing address as shown on the records of the Water Utility.

- D. In case a water service account is delinquent for a period of 24 months or more the Water Utility may at its option write off the delinquent bill as a bad debt and remove the water service from the property. Payment of a Water Connection Fee at the current rate will be required to reestablish water service to the property.
- E. Payment in full, for reinstatement of water service, may be required to be by cash, or certified funds. After receipt of payment by the Town, the water service will be turned back on or reestablished at a mutually agreeable time.

4.10.130 Appeals

- A. A water user may file a written appeal to the Town if they consider the water billing statement to be incorrect or their water usage was excessive as a result of unusual extenuating circumstances. A written appeal should state the reasons:
 - Why they consider the billing statement to be incorrect (if applicable).
 - What unusual extenuating circumstances existed (if applicable).
 - State what special conditions or circumstances existed.
 - State what corrective action has been taken.
 - State why strict application is unreasonable.
 - What consideration they are requesting from the Town.
- B. Any appeal that is not satisfied by the Water Utility may be forwarded to the Town Council for a final review and decision.

Appendix 4.10-A

(Ord. 2011-11; 12/15/2011)
(Ord. 2012-08; 12/15/12)
(Ord. 2013-04; 12/18/13)
(Ord. 2014-12; 12/10/14)
(Ord. 2015-10; 12/9/15)
(Ord. 2016-07; 12/14/16)
(Ord. 2018-01; 5/9/18)
(Ord. 2018-17; 11/14/18)

Culinary Water Service Fees

General:

The fee schedule in this appendix is established for calendar years 2017, 2018 and 2019 billing periods but will remain in effect until revised by future ordinance. The new water rates will become effective for the January billing period of each year. The

January, billing is for the water services that are provided generally in the month of January and for which the water service bills will be sent out in early February.

Service Area - Designations:

Those water connections and service provided by the Town of Star Valley Ranch that are outside the Town boundaries both current and in the future. (See definitions 4.01.020 D.)

Water Connection Fee (Tap Fee):

Residential: (No escalation per annum)

3/4 Inch Service	
Within Corporate Limit	\$ 5,000.00*
Area #1 thru #5 inclusive	\$ 6,250.00*

** This fee does not include any additional cost for nonstandard installation. The Town will identify those costs prior to construction and may charge an additional fee.*

Commercial: (No escalation per annum)

Service Size	
3/4 inch	\$ 11,750.00
1 inch	\$ 18,600.00
1 1/2 inch	\$ 40,100.00
2 inch	\$ 65,100.00
2 1/2 inch	\$ 92,000.00
3 inch	\$120,000.00
4 inch	\$200,000.00

A Service exclusively dedicated to Fire Suppression will be billed at one-half (1/2) the regular Water Connection Fee. This reduced fee is applicable when another water line connection provides normal water use to the property and this service is used only for emergencies.

The Town may by resolution, reduce the Commercial Water Connection Fee, on a case-by-case basis, as an incentive to attract businesses into the Town.

A water connection may have been made to a property prior to the Town acquiring the water system, for which the Town has no knowledge, and has not charged the appropriate water fees. If the owners of said property can provide proof that they paid a water connection fee to the previous owners of the water system, they will, in lieu of paying the Water Connection Fee, be allowed the alternative of paying all past Flat Fees and Base Fees that would have been charged had the Town had knowledge of the service, plus interest at the rate specified elsewhere in this appendix. This

alternative is not available to the owners of property where the service has been disconnected or removed as a result of delinquent payments. If the owners of the said property cannot provide proof that they have paid a water connection fee, they will be required to pay the appropriate Water Connection Fee before the water service will be provided.

Plant Investment Fee:

A Plant Investment Fee is assessed for each new “Housing Unit” or “Commercial Unit” added to the system beyond the town boundaries at the effective date of Ordinance 2018-01. In any zone that allows multiple units, the assessed fee will be based on the maximum number of units per lot, unless there is a plat on file at the County Clerk’s Office limiting the number of units per lot. There will be no refunds of the Plant Investment Fee.

This fee is:

<u>Size</u>	<u>Fee</u>
<u>Residential</u>	<u>Residential</u>
¾ inch	\$4,950
<u>Commercial</u>	<u>Commercial</u>
¾ inch	1 x Residential
1 inch	2 x Residential
1 ½ inch	4 x Residential
2 Inch	7 x Residential *
2 ½ inch	11 x Residential *
3 Inch	16 x Residential *
4 inch	28 x Residential *

*Based on projected use, this fee may be negotiated with Water Board’s recommendation and approval by the Town Council.

For single service requests for a building with multiple Housing Units and Commercial Units, the assessed Plant Investment Fee may be the greater of the number of required ¾” meters to accommodate a service per unit or the size of the pipe for the requested single metered service.

Fire suppression, when another water line connection provides normal water use to the

property and this service is used only for emergencies; the fee would be ½ of the Plant Investment Fee for normal use in the building.

Base Fee:

Residential: Effective 1 January 2019

3/4 Inch Service

Within Corporate Limit \$ 56.00

Area #1 thru #5 inclusive* \$ 70.00

**This fee is for Out of Town Services - either Option A or Option B*

Commercial: (Currently no annual escalation)

Service Size	Billing Period Base Fee
¾ inch	\$ 56.00 (Follows Residential)
1 inch	\$ 82.00
1 ½ inch	\$170.00
2 inch	\$260.00
2 ½ inch	\$340.00
3 inch	\$410.00
4 inch	\$645.00

A Service exclusively dedicated to Fire Suppression will be billed at one-half (1/2) the regular Base Fee. This reduced fee is applicable when another water line connection provides for normal water use to the property and this service is only used for emergencies.

Base Fee Credit:

Billing Period Credit	2017	2018	2019
Within Corporate Limits	\$ 5.00	0.00	0.00
Outside Corporate Limits	n/a	n/a	n/a

The credit is applied to the monthly Base Fee for water services within the Town corporate limits. Credit is based on a portion of Property Taxes and the 5th Penny Sales Tax as determined by the Town Council.

Service Availability Fee:

A Service Availability fee will be charged to all vacant lot owners that do not have an existing water meter on that lot.

Service Area

Within Corporate Limits

\$15.00

Commercial

\$29.00

- The Town will offer one month free if paid annually by February 24th of the current year.
- The Town Council may by motion eliminate the Service Availability Fee for a lot owner who has a home that occupies two lots and neither lot is large enough to build on based on current lot size minimums as found in Town Code under section 9.07.010.

Water Service Fee (Usage): Rate per gallon metered

Within Corporate Limits	\$0.0022
Out of Town Services	
Option A - Area #1/#5 inclusive	Actual time and materials specific to each Service Area plus \$.0025 per gallon over 6,740 gallons.
Option B - Area #1/#5 inclusive	\$0.0027

Special “Winter Water Service Fee”:

Some water users may need to leave a slow flow of water running to prevent their water lines from freezing. To allow them time to improve their water systems to prevent freezing, all services using water will be given a credit (will not be charged) for water usage between 4,000 gallons and 50,000 gallons per month during the December through March billing periods. These customers will be charged the normal “water service fee” for water usage above 50,000 gallons per month. Water customers will not be charged the normal “water service fee” for water usage above 50,000 gallons per month if the water usage is at the request of the Town or required by the Town.

Turn On/Turn Off Fees:

To better accommodate all citizen requests, any water turn on and turn off request must be scheduled in advance and to the quarter hour. This scheduling must be made by the previous day or earlier and the work is performed during the Town’s published workday between the hours of 8:30 AM and 4:00 PM.

As described above, fees are as follows:

- a. Each residence will be allowed annually 1(one) turn on and turn off without charge.
- b. Each subsequent routinely scheduled Turn on/ Turn off will incur a \$25 fee that will be applied to the water bill.
- c. A fee of \$75.00 per hour (minimum of one hour) will be charged for all other times (i.e. Sat, Sun, and Holidays and after 4:00 PM or before 8:30 AM).
- d. The free turn on or turn off service will not be provided if the shut off is due to failure to comply with regulations or pay charges due
- e. The Town will charge a fee of \$75.00 per hour (minimum of one hour) for wait time when persons have scheduled turn on or turn off services and are not present within ¼ hr. of the scheduled appointment time.

To help avoid these charges, all residents are encouraged to install a stop/waste valve on their waterline, somewhere between the meter and their house.

Fees Outside of the Town Corporate Limits:

The State of Wyoming's Statutes provide for two methods of calculating fees for water service to water connections outside of the Town's boundaries. Full details are available at <http://legisweb.state.wy.us/statutes/statutes.aspx> then proceed to W.W.S. 15-7-602 or a copy may be reviewed at Town Hall.

Option A. – Base Fee and Water Service Fees are based on actual costs associated with the particular Service area.

Option B. – (Highly recommended by the Town) - Base Fee and Water Service Fees are billed by Service Area at a rate up to 125% of the in-town fees.

A late payment penalty:

The greater of \$5.00 or 5% will be assessed, each billing cycle, on payments that are delinquent, and will be assessed on the total amount of any delinquent bill.

A payment will be considered delinquent if payment has not been received by 3:00 PM of the first business day following the 24th day of the month. Any exception will require management approval.

Interest:

Interest will be charged on delinquent payments at the rate of 1½%, compounded, for each full billing period or portion of a billing period that the payment is delinquent.

A payment will be considered delinquent if payment has not been received by 3:00 PM of the first business day following the 24th day of the month. Any exception will require management approval.

Unauthorized access to the curb stop or meter pit:

Individuals will be issued a citation and fined (see: TITLE 13 Municipal Court Bond Schedule) up to a maximum penalty per incident if the service is turned on or off by anyone other than an authorized agent of the Town, except in case of an emergency as defined in Section 4.01.020 - Emergency.

In case of an emergency, individual must

Notify the Town's Water Department immediately

Emergency Telephone Number (307) 880-WATER (9283) OR as published

Document and send to the Town in writing:

Date - Time – Place – Description of the emergency - Pictures (before, if possible)

and after) - Witness signature (if present)