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Article I. In General.

Sec. 16-1. Authority of town to provide services.

It is hereby declared to be the public policy of the town to preempt the exclusive power and authority to provide, furnish and distribute unto the citizens and occupants of the town and residing in or maintaining a place of business within the corporate limits of the town, all electrical power, all natural gas service, water service, television service, radio service, telephone and telegraph service, transportation and other utility services used by the citizens of the town, required by the citizens or subsequently furnished to the citizens, now or in the future; except such services that shall be provided by persons who have been granted a franchise from the town. (Code, §28-101; amended during August,

1984, supplementation.)

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For state law as to authority of town to grant utility franchises, see W.S., 1977, § 15-1-103.

Sec.16-2.Furnishing of services by anyone other than town or franchised distributor.

No person shall sell, provide, distribute or otherwise furnish electrical power, natural gas service, telephone service, telegraph service, water for domestic use and service, radio service, television service or other public utility service within the incorporated limits of the town; unless such person or public utility shall have first been granted a franchise and authority there for to so do by the governing body. (Code, § 28-102; amended during August, 1984, supplementation.)

Sec. 16-3. _ Purchasing, etc. . services from anyone not franchised.

No person shall purchase, obtain, receive, use or consume any electrical power, any natural gas, telephone service, telegraph service, water for domestic use and service, radio service, television service or other public utility service within the corporate limits of the town, from any source other than the town or a person or company who shall have first been granted a franchise and authority to so furnish such service by the town. (Code, S 28-103; amended during August, 1984, supplementation.)

Sec. 16-4. _ Right of town to acquire property of unfranchised service.

The town shall have the right to acquire by eminent domain all poles, lines, fixtures, pipelines, mains, and appurtenances of whatever nature of any electric company, telegraph company, telephone company, gas company, water company, television distributing company, radio distributing company, transportation company and of any other public utility company, association or corporation, so providing or undertaking to provide and furnish any of such public utility services within the corporate limits of the town when such public utility, company, association, corporation or otherwise is not then and there the holder of a franchise granted by the town to so provide such services.

For state law as to authority of town to exercise power of eminent domain, see W.S., 1977, § 15-1-103.

Sec. 16-5. _ Deposits for utility service.

There shall be assessed and collected by the town, prior to the time any utility services are provided by the town, a deposit in the amount of one hundred fifty dollars for each commercial service and sixty dollars for each residential service; such

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deposit shall be retained by the town until such time as all charges for utilities are paid in full.

All deposits shall be returned upon termination of all utility service and payment of all charges due the town for anything whatsoever. In the event any amounts are due and owing the town for anything whatsoever, the charges shall first be deducted from any deposit so held by the town and the balance refunded to the consumer. (Ord. No. 416, § 2.)

Article II. Fees.

Division 1. Generally.

Sec. 16-6. Establishment; billing procedures.

Charges for utility services provided by the town shall be as set, from time to time, by the town council. A copy of each ordinance establishing such charges shall be maintained on file in the office of the clerk of the town where it shall be available for inspection by the public during the normal office hours.

Billing and collection procedures shall be as established by the town council.

Editor's note--Ordinance Nos. 624 (Water Rates), 620 (Electrical Rates), 605 and 625 (Sewer Rates), respectively, which set forth water, electric, and sewerage rates are saved from repeal. These ordinances are on file in the office of the town clerk and are available for public inspection during regular office hours.

Sec. 16-6.1. Power acquisition cost: defined.

(a) Whenever the power acquisition cost to the town is more than 27.5 mills per kilowatt-hour, there shall be corresponding increase per kilowatt-hour for all kilowatt-hours included in billing to the consumer equal to 1.0 mills per kilowatt-hour for each whole mill increase above 27.5 mills in the average cost to the town. Such adjustment, if any, shall be based on the costs in the month preceding the billing month.

(b) The power acquisition cost shall be defined to include all demand and energy charges billed to the town by its wholesale power suppliers, all dues, fees and charges which the town pays related to power acquisition and any debt service incurred in order to insure future power supplies. (Ord. No. 556.)

(c)

PUBLIC UTILITIES Sec.16-7. Due date for monthly utility charges;

delinquent accounts; reconnection fees.

All charges for water, sanitation, sewer and electrical services and all related charges shall be due and payable at the office of the town clerk on the tenth day of each month following use. Any account not paid by the eleventh day of each month shall be deemed delinquent and the town shall have the right to terminate all services until such time as all delinquent accounts are paid in full. In the event of termination of any services the user shall pay a reconnection fee of ten dollars for all utilities except electrical service, which is set by §16-20.2, to the town before any services are resumed. (Ord. No. 458.)

Sec. _ 16-8. Inspection fees for electrical, plumbing and gas pipe installations.

An electrical inspection fee, plumbing inspection fee, and gas pipe inspection fee of ten dollars for each domestic residence and twenty dollars for every other type of construction shall be paid to the town at the time a building permit is secured for any construction, remodeling or other activity for which any electrical, plumbing or gas pipe inspection is required. (Ord. No. 456.)

Division 2. Connections.

Sec. _ 16-9. Connection fees for electrical system and sewer system--Enumeration.

(a) The following fees shall be paid for each connection of the electrical service system of the town when the connection is for single phase service:

(1) \$500.00, or the cost of material, equipment and labor, whichever is greater, for each residential service other than a mobile home.

(2) \$500.00, or the cost of material, equipment and labor, whichever is greater, for the first unit in multiple dwelling units, and the cost of material, equipment, and labor, for an additional unit.

(3) \$500.00, or the cost of material, equipment and labor, whichever is greater, for each residential mobile home when the same is not located in a mobile home park.

(4) \$500.00, or the cost of material, equipment and labor, whichever is greater, for each residential mobile

home located in a mobile home park.

(5) \$500.00, or the cost of material, equipment and labor, whichever is greater, for any commercial establishment except motels.

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(6) \$500.00, or the cost of material, equipment and

labor, whichever is greater for the first unit of a motel, and

the cost of material, equipment and labor for each additional

unit.

(7) \$500.00, or the cost of material, equipment and

labor, whichever is greater, for any electrical connection for

any other type of usage not otherwise specified herein.

(b) The following fees shall be paid for each connection

of the electrical service system of the Town when the connection

is for three phase service:

(1) \$500.00, plus an amount equal to the difference in

total cost of construction between single phase electrical

service for each connection to the electrical service system

of the Town for three phase electrical service.

(c) The following fees shall be paid for each connection

to the sewer system of the Town:

(1) \$300.00, or the cost of material, equipment and

labor, whichever is greater, for each residential service

other than a mobile home.

(2) \$300.00, or the cost of material, equipment and

labor, whichever is greater, for the first unit in multiple

dwelling units, and the cost of material, equipment and labor,

whichever is greater, for an additional unit.

(3) \$300.00, or the cost of material, equipment and

labor, whichever is greater, for teach residential mobile home

when the same is not located in a mobile home park.

(4) \$300.00, or the cost of material, equipment and

labor, whichever is greater, for each residential mobile home

located in a mobile home park.

(5) \$300.00, or the cost of material, equipment and

labor, whichever is greater, for any commercial establishment

except motels.

(6) \$300.00, or the cost of material, equipment and

labor, whichever is greater, for the first unit of a motel,

and the cost of material, equipment and labor for each

additional unit.

(7) \$300.00, or the cost of material, equipment and

labor, whichever is greater, for any sewer connection for any

other type of usage not otherwise specified herein. (Ord. No.

604.)

(8)

PUBLIC UTILITIES Sec. 16-10. Same--When

payable generally.

All fees shall be paid prior to the time any connection is made to the service systems and in the event of new construction where the facilities are not present all fees shall be paid prior to the commencement of any construction of the facilities which will be required to provide the services. (Ord. No. 436, § 2.)

Sec. 16-11. Same--When payable for lots, tracts or other parcels in subdivisions; exception.

All connection fees for electrical services to be provided for all lots, tracts or other parcels in subdivisions, as the same are defined by the Development Code, shall be paid prior to the commencement of any construction of the facilities which will be required to provide the service.

In lieu of payment of all electrical service connection fees in advance of any construction a subdivider may provide collateral acceptable to the town council guaranteeing payment of the electrical service connection fees for all lots, tracts or other parcels in the entire subdivision.

The town council shall have the option of demanding payment in full in advance of construction or of accepting a guarantee in lieu thereof. (Ord. No. 436, § 3.)

Sec. 16-12. Same--Sewer connections.

Connections to the sewer service system shall include connections to the primary sewer service system of the town and connections to all feeder lines connected thereto, regardless of ownership of the lines. (Ord. No. 436, § 4.)

Sec. 16-13. Same--Issuance of building permit.

No building permit shall be issued by the building inspector until all fees assessed pursuant to section 16-9 are fully paid or a guarantee for such payment is approved and accepted by the town council. (Ord. No. 436, § 5.)

Article III. Electricity.

For state law as to authority of town to provide and regulate electrical power,, see W.S., 1977, §§ 15-1-103, 15-7-101 and 15-7-201 to 15-7-212.

Sec. 16-14. Adoption of Nat'l Electrical Code. Permit Required for Connection to Town System, etc., Fees and Inspection of Electrical Work.

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installation, all electrical material and appliances, and

all arrangement of electrical apparatus on the load side of

the service shall be in conformity with the specifications,

rules and regulations of the National Electrical Code,

current edition, Batterymarch Park, Quincy, Ma., and that

said code is hereby adopted by reference as if set forth

fully herein.

Section 2

(a) No person shall make any connection to the Town

electrical system on the line side of the service. No person

shall construct or install any electrical wiring in any

building or structure or conduct any electrical work in any

addition to any building or structure without first obtaining

a permit to do so, except existing maintenance.

(b)No permits shall be issued until the Town of

Wheatland and electrical inspector has reviewed and

approved the electrical plan, and the person applying

for the permit had paid all permit costs. The costs for

electrical permits and inspection shall be determined

from building permit fees as set forth in Ordinance

No.712 (b) (2) total valuation, as amended.

(c) All inspections of electrical systems and work

performed shall be scheduled 72 hours in advance with the

electrical inspector.

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(d) In the event the electrical inspector for the Town of Wheatland cannot properly inspect the electrical work, then the electrical inspector, at his sole discretion, has the authority to deny hookup to the Town of Wheatland's electrical system.

Sec. 16-15. Electrician required; execution.

No person, except an electrician licensed by the State of Wyoming and the Town of Wheatland, shall, on the load side of the service, construct, repair, install or interfere with in any manner, any electrical wiring or apparatus in the Town except on residential property owned by a person when the person, his partner, or major stockholder of a family corporation is installing the equipment and the property will not be sold for one year.. (Ord. No. 714, 3rd reading 2/13/06.)

Sec. 16-16. Temporary service. (REPEALED)

Sec.16.17. Access to buildings, ect., for inspection.

(a) An Agent of the Town shall have reasonable access to all buildings and other structures at reasonable times for the purpose of inspection of all electrical wiring, connections and installations. No person shall deny any authorized agent of the Town access for any reasonable inspection.

(b) No person shall deny any authorized agent of the Town access to all property, buildings and other structures for the purpose of reading electrical meters or any other utility meter of the Town during normal business hours. Normal business hours being 8:00 a.m. to 5:00 p.m. Monday through Friday of each week.

Section16.18. Placement. etc., of poles and wires.

The Town shall have the power and supervision over the placing, erecting and wiring of all electrical poles and wires in the Town. No pole or wire shall be placed so as to create any unsafe or hazardous condition.

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Section 16.19 Installation of meters,ect.

(a) All consumers shall install a meter socket furnished by the Town at a location prescribed by the Town and shall install an electrical disconnect on the outside of all buildings.

(b) The Town shall make all connections from the transformer to top of the meter, provided however, in the event of current transformer metering, the Town will make all connections to meter.

(c) All multiple family dwellings shall have all meters located in a central area and each meter shall be equipped with a separate disconnect. (Ord. No. 714, 3rd reading 2/13/06.)

Sec. _ 16-20. Responsibility for service.

The Town shall control and be responsible for all service to the top of and including the meter and the consumer shall be responsible for all service thereafter. Provided however, the owner/occupant will be responsible for those obligations set forth in Section 10 below. (Ord. No. 614, 3rd reading 8/9/93.)

Sec. 16-20.1. Unlawful connection to town electrical system--
Penalty.

(a) No person shall connect or change any wire, other instrument, device or contrivance which transmits or supplies or is intended to transmit or supply electricity to any house, mobile home, store or other building, without the express knowledge and consent of the electrical inspector of the town or his authorized agent.

(b) No person shall connect or change any wire, other instrument, device or contrivance with any wire transmitting or supplying or intended to transmit or supply electricity to any house, mobile home, store or other building, in such a manner as to transmit or supply any electricity to any house, mobile home, store or other building around or without passing through the meter provided for measuring or registering the amount or quantity of electricity passing through it without the knowledge or consent of the electrical inspector or his authorized agent.

(c) No person shall willfully injure, alter or interfere with or obstruct the action or operation of any meter measuring electricity passing through it. (Ord. No. 490.)

Sec. 16-20.2. Reconnect Fee.

Any person desiring to reconnect to the Town electrical system after being disconnected for non-payment shall pay \$50.00 for each

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meter reconnected. (Ord. No. 614, 3rd reading 8/9/93.)

Sec. 16-20.3. Tree Trimming - Damage Caused.

(a) The property owner\occupant shall trim and be responsible to trim all tree limbs and other vegetation which may cause damage to service lines from the property owner's building to the utility pole.

(b) In the event the property owner\occupant desires to trim the trees and other vegetation, the Town of Wheatland will, upon request, and during working hours only, disconnect the service line and move it away from the trees and other vegetation which need to be trimmed, and will reconnect the service line once the trimming is completed at no charge to the property owner\occupant.

(c) In the event the service line from the utility pole to the property owner's building is damaged by limbs or trees, then the property owner shall pay for all costs (time and materials) associated with said repair.

(d) The Town of Wheatland shall have the authority and right to trim or otherwise remove any tree limbs or other vegetation which may cause damage to the Town's primary distribution lines. However, the Town of Wheatland shall advise the residents of the Town of the tree trimming activities the Town will do by placing notification on the June and July utility bills. Provided however, in the event an emergency exists and the removal of tree limbs or other vegetation is necessary to aid in bringing the emergency under control, then the above notification is not necessary. (Ord. No. 614, 3rd reading 8/9/93.)

Sec. 16-20.4. Electrical Inspector.

The Town of Wheatland electrical inspector shall be a master electrician licensed by the State of Wyoming, and shall be appointed by the Mayor, with the approval of the governing body of the Town of Wheatland. (Ord. No. 714, 3rd reading 2/13/06.)

sec. 16-20.5. Penalty.

In the event any person or entity violates the provisions of this article, said violation will be considered a misdemeanor punishable by a fine of up to \$750.00, plus court costs. (Ord. No. 714, 3rd reading 2/13/06.)

Article IV. Antennas.

Sec. 16-21. Installation, etc.. of outside antenna--Permit required.

No person shall install or make any additions to any outside antenna used for receiving any communication signal and placed upon

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or adjacent to any building or other structure without first obtaining a permit for any installation or addition. (Ord. No. 461, § 1.)

Sec. 16-22. Same--Application for permit: fee.

Any person desiring to install or make any addition to any outside antenna shall make application to the town clerk for a permit. Each application shall contain such information as the town may require and shall be accompanied by a fee of five dollars. (Ord. No. 461, § 2.)

Sec. 16-23. Same--Inspections removal or repair

All antennas shall be installed and anchored so as to not create any safety hazard to any person or property. The electrical inspector shall have the authority to periodically inspect all antennas for safety. Any antenna found to be unsafe shall be immediately removed or repaired. (Ord. No. 461, § 3.)

Article V. Water and Sewer Service.

Division 1. Generally.

Secs. 16-24 to 16-27. Reserved for future legislation.

Division 2. Water and Sewer Commissioner.

Sec. 16-28. Creation of office; appointment; bond.

There is hereby created the office of water and sewer commissioner. The water and sewer commissioner shall be appointed by the mayor by and with the consent of the town council. He shall have such experience as shall be necessary for the faithful performance of the duties of his office. Before entering upon the duties of his office he shall execute a bond to the town in the sum of one thousand dollars, with such sureties as the town council shall approve, conditioned for the faithful performance of the duties of his office. (Code, § 16-101.)

Sec. 16-29. General duties.

The water and sewer commissioner shall be the superintendent of sewers, and as such superintendent he shall have charge and management of the sewerage system of the town, and all property belonging or pertaining thereto, and shall see that the system is kept properly cleaned and in good working order and repair. He shall perform all such duties in connection with such system as shall be required of him by the town council. (Code, § 14-401.)

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Division 3. Water.

For state law as to authority of town to *establish* and regulate water system, see W.S., 1977, § 15-1-103. See also W.S., 1977, 5 15-7-101. As to waterworks generally, see W.S., 1977, § 15-7-401 to 15-7-490. As to constitutional limitations on *debt incurred to supply water*, see *Wyo. Const.*, Art. 16, § 5. As to contracts to *furnish water*, see W.S., 1977, 55 15-7-460 to 15-7-465. As to waterworks franchises, see W.S., 1977, §§ 15-7-480 to 15-7-490. See also W.S., 1977, § 15-1-103. As to storage of water for municipal uses, see W. S., 1977, 55 41-14-401, 41-14-102, 41-14-103.

limits--Applicable water rates.

Each water user residing outside the corporate limits of the town using water furnished through the mains of the town or using water supplied by the town shall pay one and one-half times the rates charged like consumers residing within the corporate limits. (Ord. No. 412, § 1.)

Sec. 16-31. Same--Applicability of provisions of chapter relative to water usage.

All users of water from the town residing outside the corporate limits shall be deemed to have subscribed and agreed to all provisions of this chapter applicable to water usage. (Ord. No. 412, S 3,)

Sec. 16-32. Permit for connection to town system--Required.

No person shall tap or connect to any part of the water system of the town or use any water there from without first obtaining a permit to do so from the town. (Ord. No. 415, § 1.)

Sec. 16-33. Same--Application.

Any person desiring to make a connection to the water system or to use water there from shall make written application to the town for a permit. The application for a permit to make any connection to the water system shall state the name of the person to whom the permit is to be issued, the size of the tap, the location thereof, the premises upon which the water is to be used and the purpose for which the water is to be used. All permits issued shall state the name of the person to whom the permit is issued, the date of the permit, the size of the tap, the premises

upon which the water is to be used and the purpose for which the water is to be used. (Ord. No. 415, § 2.)

Sec. 16-34. Water meter installation fees.

(a) There shall be assessed and collected a water meter installation fee in the amount of \$1,000.00 for each one-inch water meter connected to the main water distribution line of the Town of Wheatland. In the event the actual costs of the materials exceeds \$1,000.00, then the actual costs of the materials will be assessed and collected.

(b) All new water meters shall be one inch. In the event someone desires to change their existing 3/4 inch water meter to a one inch water meter, there shall be assessed and collected a water meter upgrade fee equal to the actual cost of the materials and labor for the upgrade.

(c) For any water meter installation of a meter larger than one inch, there shall be assessed and collected a fee equal to the actual cost of the materials and labor for any water meter larger than one inch connected to the main water distribution line of the Town. (Ord. No. 614, 3rd reading 8/9/93.)

Sec. 16-35. Payment of fees.

All charges relative to connection to the town water system shall be paid to the town when the application for the connection permit is made.

All charges shall be paid prior to the actual connection of the water line and the installation of the meter to the main water distribution system of the town. (Ord. No. 415, §§ 7, 8.)

Sec. 16-36. Responsibility for connection to town system.

All connections to the main water system of the town and all meter installations shall be made by a person duly employed by the town or under a town employee's supervision. (Ord. No. 415, § 6.)

Division 4. Sewers.,

For state law as to authority of town to *establish and regulate, etc., sewers, see W.S., 1977, S 15-1-103.* As to sewerage system public improvements, see W.S., 1977, §§ 15-7-430 to 15-7-442. As to constitutional limitation on town *debt incurred for sewerage systems, see Wyo. Const., Art. 16, § 5.* For state law as to rates to-be *charged for sewer service generally, see W.S., 1977, SS 15-7-436, 15-7-437.* As to fixing rates by *board of public utilities, see W.S., 1977, § 15-7-407.*

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Sec. 16-37. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this division shall be as follows:

Biochemical oxygen demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (50 days at 20 degrees Centigrade, expressed in milligrams per liter.

Building drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Building sewer shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

Combined sewer shall mean a sewer intended to receive both wastewater and storm or surface water.

Easement shall mean an acquired legal right for the specific use of land owned by others.

Floatable oil is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

Industrial wastes shall mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

Natural outlet shall mean any outlet, including storm sewers and combined sewer overflows into a watercourse, pond, ditch, lake or other body of surface or groundwater.

May is permissive.

Person shall mean any individual, firm, company, association, society, corporation or group.

pH shall mean the logarithm of the reciprocal of the hydrogen-

ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

Properly shredded garbage shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

public sewer shall mean a common sewer controlled by a governmental agency or public utility.

Sanitary sewer shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

Sewage is the spend water of a community. The preferred term is "wastewater". (See definition below.)

Sewer shall mean a pipe or conduit that carries wastewater or drainage water.

Shall is mandatory.

Slug shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

Storm drain (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

Superintendent shall mean the Head of the Water and Sewer Department of the Town, or his authorized deputy, agent or representative.

Suspended solids shall mean total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

Town shall mean the Town of Wheatland, Platte County, Wyoming.

Unpolluted Water is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

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Wastewater shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

Wastewater facilities shall mean the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

Wastewater treatment works shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant."

Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently. (Ord. No. 606, 3rd reading 6/10/91)

Sec. 16-38. Use of Public Sewers Required Within the Town.

(a) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of the Town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

(d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Town, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 30 days after date of official notice to do so, provided that said public sewer is within 100 feet of the property line. (Ord. No. 606, 3rd reading 6/10/91)

Sec. 16-39. Private Wastewater Disposal.

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(a) Where a public sanitary or combined sewer is not available under the provisions of § 16-38(d), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.

(b) Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit signed by the Town Engineer. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Town Engineer. A permit and inspection fee of \$20.00 shall be paid to the Town at the time the application is filed.

(c) A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Town Engineer. The Town Engineer shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the Town Engineer when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Town Engineer.

(d) The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the department of public health of the State of Wyoming. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 43,560 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(e) At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in §16-39(d), a direct connection shall be made to the public sewer within sixty (60) days in compliance with this ordinance, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

(f) The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town.

(g) No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer. (Ord. No. 606, 3rd reading 6/10/91)

Sec. 16-40. Sanitary Sewers, Building Sewers and Connections.

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written

permit from the Town Engineer. (Ord. No. 606, 3rd reading

6/10/91)

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All work done under any permit shall be by a licensed plumber and shall be under the supervision of the water and sewer commissioner. [Code, § 14-103; amended during August, 1984, supplementation; Ord. No. 527, § (b).]

No person except one employed by the Town shall connect any pipes with any sewer line of the town or any lateral there from. [Code. SC, 14-102, 14-301; amended during August. 1984 supplementation: Ord. No. 527. (c).

(b) There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Town Engineer. A permit and inspection fee of \$20.00 for a residential or commercial building sewer permit and \$ 20.00 for an industrial building sewer permit shall be paid to the Town at the time the application is filed.

(c) All costs and expense incidental 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.

(d) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the Town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection afore mentioned.

(e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town Engineer, to meet all requirements of this ordinance.

(f) The size, slope, alignment, materials of construction of all sanitary sewers including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town and the State of Wyoming. In the absence of suitable code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply

(g) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all

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buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(h) No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the Town Engineer and the Wyoming State Department of Health for purposes of disposal of polluted surface drainage.

(i) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town and the State of Wyoming, or the procedures set forth in appropriate specifications of the A.S.T.M. And the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Town Engineer before installation.

(j) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town. (Ord. No. 606, 3rd reading 6/10/91)

Sec. 16-41. Use of the Public Sewers.

(a) No person shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, groundwater, roof runoff, subsurface drainage or cooling water to any sewer, except storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the Town Engineer and the Wyoming State Department of Health.

(b) Storm water other than that exempted under §16-41(a) and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to natural outlet approved by the Town Engineer and the Wyoming State Department of Health. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Town Engineer, to a storm sewer, combined sewer, or natural outlet.

(c) No person shall discharge or cause to be discharged any of the following described water or wastes to any public sewers.
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(1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

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(2) Any waters containing toxic or poisonous solids, liquids or other wastes, to contaminate the sludge of any sewage treatment process, constitute a hazard in or have an adverse effect on the waters receiving any discharge from the works. Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the Town's treatment works shall pay for such increased costs.

(3) Any waters or wastes having a pH lower than 5.5, or having any other 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 causing obstruction to the flow in sewers, or 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, aground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk, containers, etc., either whole or ground by garbage grinders.

(d) The following described substances, materials, waters or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, the sludge of any municipal system, the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Town Engineer may set limitations lower than the limitations established in the regulations below if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Town Engineer will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plans, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Town Engineer are as follows:

(1) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).

(2) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.

(3) Wastewater from industrial plants containing floatable oils, fat or grease.

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(4) Any garbage that has not been properly shredded (See definition of properly shredded garbage in §16-37.) Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

(5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Town Engineer for such materials.

(6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Town Engineer.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Town Engineer in compliance with applicable State or Federal regulations.

(8) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.

(9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(10) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

(e) If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in §16-41(d), and which in the judgment of the Town Engineer may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town Engineer may:

(1) Reject the wastes,

(Wheatland(2095) Require pretreatment to an acceptable condition

for discharge to the public sewers;

(3) Require control over the quantities and rates of discharge, and/or

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(4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 11 of this article.

If the Town Engineer permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town Engineer and the Wyoming State Department of Health.

(f) Grease, oil and sand interceptors shall be provided when, in the opinion of the Town Engineer, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in §16-41(d)-(3) or any flammable wastes, sand or other harmful ingredients.; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town Engineer and the Wyoming State Plumbing Code, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captivated material and shall maintain records of the dates and means of disposal which are subject to review by the Town Engineer. Any removal and hauling of the collected materials not performed by owner personnel must be performed by currently licensed waste disposal firms.

(g) Where pretreatment or flow-equalization facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(h) Every fish, fowl and animal slaughterhouse or establishment and every fish, fowl and meat packing or curing establishment and every soap factory, tallow rendering, fat rendering and hide curing establishment, or any other establishment from which considerable amounts of grease are likely to be discharged into any plumbing system, sewer system or private sewage disposal system, shall be connected to and shall drain or discharge into a grease interceptor of an approved design. (Ord. No. 470, § 4.) [formerly § 16-43]

(i) Every private or public wash rack and/or floor or slab used for cleaning machinery or machine parts shall be adequately protected against storm or surface water and shall drain or discharge into a sand and grease interceptor of an approved design. (Ord. No. 470, § 5.) [formerly § 16-44.]

When waste pretreatment is required, an approved-type grease interceptor shall be installed in the waste line leading from sinks, drains and other fixtures or equipment in the following establishments: restaurants, cafes, lunch counters, cafeterias, bars and clubs, hotels, hospitals, sanitarium, factory or school kitchens, or other establishments where grease may be introduced into the drainage or sewerage system in quantities that can effect line stoppage or hinder sewage treatment. (Ord. No. 470, § 6.) [formerly § 16-45.]

(j)

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(k) When required by the Town Engineer, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Town Engineer.

The structure shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(1) The Town Engineer may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

(1) Wastewater's discharge peak rate and volume over a specified time period.

(2) Chemical analyses of wastewaters.

(3) Information on raw materials, processes, and products affecting wastewater volume and quality.

(4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.

(5) A plot plan of sewers of the user's property showing sewer and pretreatment facility location.

(6) Details of wastewater pretreatment facilities.

(7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

(m) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in §§ 16-32 to 16-44 shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the Town Engineer.

(n) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual

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strength or character may be accepted by the Town for treatment.
(Ord. No. 606, 3rd reading 6/10/91)

Sec. 16-42. Malicious Destruction. etc., - Wastewater
Facilities or Parts Thereof.

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(Ord. No. 606, 3rd reading 6/10/91)

Sec. 16-43. Powers and Authority of Inspectors.

(a) The Town Engineer and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this ordinance.

(b) The Town Engineer or other duly authorized employees of the Town are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system.

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industry may withhold information c. --d confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors. (Ord. No. 606, 3rd reading 6/10/91)

