

Ridgway Municipal Code

CHAPTER 9

SECTION 1

Water and Sewer

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9-1-1 DEFINITIONS.

(Added by Ord 3-2016)

ACTIVE DATE: the first day that a backflow prevention assembly or backflow prevention method is used to control a cross-connection in each calendar year.

AIR GAP: a physical separation between the free flowing discharge end of a potable water

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supply pipeline and an open or non-pressure receiving vessel installed in accordance with standard AMSE A112.1.2.

BACKFLOW: the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the Town water systems distribution system from any source or sources other than

its intended source.

BACKFLOW CONTAMINATION EVENT: backflow into a public water system from an uncontrolled cross-connection such that the water quality no longer meets the Colorado Primary Drinking Water Regulations or presents an immediate health and/or safety risk to the public.

BACKFLOW PREVENTION ASSEMBLY: any mechanical assembly installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the mechanical assembly is appropriate for the identified contaminant at the cross-connection and is an in-line field-testable assembly.

BACKFLOW PREVENTION METHOD: any method and/or non-testable device installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the method or non-testable device is appropriate for the identified contaminant at the cross-connection.

CERTIFIED CROSS-CONNECTION CONTROL TECHNICIAN: a person who possesses a valid Backflow Prevention Assembly Tester certification from one of the following approved organizations: American Society of Sanitary Engineering (ASSE) or the American Backflow Prevention Association (ABPA). If a certification has expired, the certification is invalid.

CONTAINMENT: the installation of a backflow prevention assembly or a backflow prevention method at any connection to the Town water system that supplies an auxiliary water system, location, facility, or area such that backflow from a cross-connection into the public water system is prevented.

CONTAINMENT BY ISOLATION: the installation of backflow prevention assemblies or backflow prevention methods at all cross-connections identified within a Customer's water system such that backflow from a cross-connection into the Town water system is prevented.

CONTROLLED: having a properly installed, maintained, and tested or inspected backflow prevention assembly or backflow prevention method that prevents backflow through a cross-connection.

CROSS-CONNECTION: any connection that could allow any water, fluid, or gas such that the water quality could present an unacceptable health and/or safety risk to the public, to flow from any pipe, plumbing fixture, or a Customer's water system into a public water system's distribution system or any other part of the public water system through backflow.

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CUSTOMER: unless context specifically indicates otherwise as used in this Section, “Customer” or “Customers” shall mean the person or persons in whose name water and sewer service is taken or who is using Town water and sewer service.

MULTI-FAMILY: a single residential connection to the public water system’s distribution system from which two or more separate dwelling units are supplied water.

SINGLE-FAMILY:

A single dwelling which is occupied by a single family and is supplied by a separate service line;

or

A single dwelling comprised of multiple living units where each living unit is supplied by a separate service line.

UNCONTROLLED: not having a properly installed and maintained and tested or inspected backflow prevention assembly or backflow prevention method, or the backflow prevention assembly or backflow prevention method does not prevent backflow through a cross-connection.

WATER SUPPLY SYSTEM: a water distribution system, piping, connection fittings, valves and appurtenances within a building, structure, or premises. Water supply systems are also referred to commonly as premise plumbing systems.

WATER WASTING: Town water, whether it be treated or untreated, shall be used only for beneficial use and shall not be wasted. (Ord 5-2018)

9-1-2 MAINTENANCE AND INSTALLATION RESPONSIBILITIES.

(A) Each customer shall be responsible for cost of installation and maintenance of water meters, the entire length of the sewer service line necessary to serve his property, and the water service line from the curb box to the premises served. The Town shall own and maintain the water service line from the tap to the curb box.

(B) In the event any customer fails to make repairs within 72 hours of notice from the Town, the Town may shut-off service in accordance with Subsection 9-1-20, or may cause the repairs to be made and charge the expense of the repairs to the customer.

(C) The Town will make all taps. It shall be the customer's responsibility to expose the main and provide sufficient excavated area for making the tap, including an area cleared completely around the main and service line.

(D) The Town shall provide for the installation and maintenance of all water and sewer service lines and water meters at the expense of the customer, or the customer may provide for installation and maintenance under the Town's supervision subject to the Town's approval.

(E) Parties served by Town water through existing, privately-owned distribution lines

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shall be responsible for the maintenance and repair of such lines. No additional taps may be allowed on such lines without approval of the Town and compliance with all applicable provisions of the Town ordinances and regulations, including payment of tap fees. Any extensions to such private lines shall be designed and installed to Town specifications, dedicated to the Town and allowed only if approved by the Town in accordance with Town ordinances and regulations.

(F) Incident to paving or other projects the Town may install water and sewer taps and stub associated service lines beyond the pavement or right-of-way, as requested by property owners for future use. The Town's total cost of installing such requested taps and service lines shall be repaid to the Town by the property owner, with payment due at the time the property owner pays the tap fee in order to put first one of said taps into service. The Town shall record a notice of such reimbursement obligation or reimbursement agreement in the Ouray County records, for each previous or future arrangement. Such obligations shall run with the land.

(Ord 4-2013)

9-1-3 LIMITATIONS ON THE USE OF THE WATER AND SEWER SYSTEM.

(A) It shall be unlawful for any person to do any of the following:

(1) To permit or cause any material harmful to the Town's sewer system, including, but not limited to sand, gravel, mud, water, bleeding water flows, storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, or polluted industrial process liquids to be discharged

into or flow through the Town's sewer system.

(2) To permit or cause any liquid, solid or gas, capable of obstructing flow through the Town's sewer system to be discharged into or flow through the Town's sewer system.

(3) To damage, destroy or tamper with any part of the Town's water or sewer system.

(4) (a) Repealed by Ord 3-2016

(b) Repealed by Ord 3-2016

(5) To connect floor drains from garages or other non-living areas of any residence to the sewer system.

(6) To connect a floor drain in a service station, garage or other commercial or industrial facility to the Town's sewer system, unless the express permission of the Town has been obtained and a grease or grit trap has been installed and approved by the Town.

(7) To resell Town water.

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(B) The Mayor may promulgate emergency regulations restricting the use of Town water for irrigation or other uses subject to confirmation or amendment by the Town Council.

(C) The Town Council may declare by resolution a moratorium on taps or line extensions for the entire water or sewer systems or any part of them at any time due to limitations on system capacity or other circumstances which require such action.

(D) The Town shall have the right to temporarily interrupt service without notice for the purpose of making repairs, taps, extensions or for other reasons as necessary for the proper operation and maintenance of the water and sewer systems. If practical, reasonable notice shall be given to the customer.

(E) No customer located outside of the corporate limits of the Town may significantly increase the amount or degree of his use of Town water or sewer service beyond the extent of his use at the effective date of this Section.

(F) The Town Council may set regulations governing the use of water for irrigation and sprinkling by resolution.

9-1-4 APPLICABILITY.

(A) The customer and the owner of the property served shall be jointly and severably liable for the charges imposed by this Section and for compliance with all other provisions of this Section notwithstanding any agreement between themselves. Unless specifically allowed by the Town on account of unique circumstances, all bills for service shall be in the name of the owner of the property and the owner shall be billed accordingly.

(B) Water and sewer service shall be subject to the terms and conditions of this Section and any amendments which are subsequently enacted to it.

9-1-5 RIGHT OF ENTRY.

(A) Whenever necessary to make an inspection or investigation, to perform any duty, or to enforce any of the provisions of this Section, Town officers and employees, may enter any building or upon any premises served by Town water and sewer at any reasonable time for such purposes. If the building is occupied, they shall present proper credentials and request entry. If such building is unoccupied, they shall make reasonable efforts to locate the owners or persons in possession of the premises and request entry. If entry is refused, they shall have recourse to all remedies provided by law to secure entry.

(B) This right of entry shall apply but not be limited to the following functions. To determine the locations and conditions of all hydrants, pipes, fixtures, and meters; to read meters; to make repairs; to perform dye or smoke tests; and to investigate violations of this Section.

9-1-6 DELEGATION OF DUTIES.

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(A) The Town Council may designate any officer, agent or employee of the Town to perform the duties specified in this Section.

(B) The Town Council may adopt additional regulations as necessary for the proper administration and enforcement of this Section.

9-1-7 SPECIFICATIONS.

All plumbing, mains and service lines shall comply with applicable State of Colorado regulations and applicable construction and design specifications of the Town.

9-1-8 APPLICATION FOR CONNECTION AND SERVICE.

(A) No connection to the Town's water or sewer system shall be allowed until an application is submitted on forms provided by the Town and approved by the Town. The application shall be accompanied by required tap fees.

(B) Application for sewer or water service shall be made on forms provided by the Town and accompanied by a deposit in the amount of \$25.00. No deposit shall be required of a customer who has been a water or sewer customer and has paid all charges billed without delinquency for a period of his latest 12 months of service. The deposit shall be returned upon abandonment of both water and sewer taps after deduction of all charges due or after 12 months continuous service during which no shut-off notice has been sent to the customer.

9-1-9 TAP FEES.

(A) The tap fee for a ¾" water tap for a single family residence shall be \$3,000 until 6/30/16. Beginning on 7/1/16 a ¾" water tap for a single family residence shall be \$4,500 and beginning on 7/1/17 a ¾" water tap for a single family residence shall be \$6,000.

(Ord 4-2016)

(B) The tap fee for a 4" sewer tap for a single family residence shall be \$4,000 until 6/30/16. Beginning on 7/1/16 a 4" sewer tap for a single family residence shall be \$5,000 and beginning on 7/1/17

a 4" sewer tap for a single family residence shall be \$6,000.

(Ord 4-2016)

(C) Multiple Units on a Single Tap

(1) Motels, hotels, lodges, bed and breakfast operations and similar operations, without kitchen facilities in the units, shall be charged for each water or sewer tap, tap fees equal to those provided by 9-1-9(A) and (B) above, plus 0.20 times the tap fees provided by 9-1-9 (A) and (B) above, for each unit after the first unit served by tap, regardless of the size of the tap.

(Ord 12-2003)

(2) Motels, hotels, lodges, bed and breakfast and similar operations, with kitchen

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facilities in the units, shall be charged for each water or sewer tap, tap fees equal to those provided by 9-1-9(A) and (B) above, plus 0.30 times the tap fees provided by 9-1-9(A) and (B) above, for each unit after the first served by the tap, regardless of the size of the tap.

(Ord 12-2003)

(3) Multiple unit residences and dwelling facilities including, but not limited to, duplexes, multi-family residences, apartments, mobile homes, mobile home parks, and travel home parks, shall be charged for each water or sewer tap, tap fees equal to those provided by 9-1-9(A) and (B) above, plus 0.72 times the tap fees provided by 9-1-9(A) and (B) above, for each unit after the first served by the tap, regardless of the size of the tap. An accessory dwelling unit, attached to a primary dwelling, may be served off the tap or meter serving the primary residence without payment of additional tap fees.

(Ord 3-2017)

(4) Multiple unit buildings with one or more primary commercial unit and one or more ancillary residential unit, shall be charged tap fees to those provided by 9-1-9(D) for the commercial unit(s), plus 0.20 times the tap fees provided by 9-1-9(A) and (B) above for residential unit(s), regardless of the size of the tap.

(Ord 12-2003)

(D) Tap fees for taps not provided for by (A), (B) or (C) above shall be based on the size water tap required in accordance with the following table unless the Town Council determines that a lesser fee is justified based upon the type of use proposed and its characteristics:

Water Service Dia	WATER			SEWER		
	Until 06/30/16	07/1/2016 - 06/30/17	After 06/30/17	Until 06/30/16	07/1/2016 -06/30/17	After 06/30/17
3/4"	\$3,000	\$4,500	\$6,000	\$4,000	\$5,000	\$6,000
1"	5,333	8,000	10,667	7,111	8,889	10,667
1-1/2"	12,000	18,000	24,000	16,000	20,000	24,000
2"	21,333	32,000	42,667	28,444	35,556	42,667
3"	48,000	72,000	96,000	64,000	80,000	96,000
4"	85,332	128,000	170,667	113,778	142,222	170,667
6"	192,000	288,000	384,000	256,000	320,000	384,000

(Ord 4-2016)

(E) Tap fees for taps used for fire suppression shall be \$500.00 plus the cost of the actual installation and parts, in addition to the fees specified in Subsections (A) through (D) for service connections.

(Ord 5-1997)

(F) Smaller taps than 3/4" for water or 4" for sewer shall not be allowed. (Ord 5-1997)

(G) (1) All taps shall be sized as reasonably required to serve the proposed use. In

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the event a change in the use necessitates a larger tap, the existing tap may be replaced by a larger tap upon payment of the applicable tap fee for the larger tap less a credit in the amount of the then current tap fee for a smaller tap which is being replaced.

(Ord 5-1997)

(2) Separate buildings shall be required to have separate taps with payment of applicable tap fees for each tap, except in either of the following two situations:

(a) an accessory dwelling unit meeting the criteria of Subsection 7-3-13(G) of the Ridgway Municipal Code may be served off the tap or meter serving the primary residence without payment of additional tap fees; or

(Ord 1-2005)

(b) separate residential buildings in conformance with all zoning regulations, located on a commonly owned lot or parcel, may be served by a single sewer connection to the main line. Such connection shall be owned and maintained by a homeowner's association, and the connection shall have an access point in accordance with Town specifications, when such arrangement is approved by the Town in advance. In such instances, full tap fees shall be paid for each building in accordance with the provisions of Subsection 9-1-9 above.

(Ord 1-2005)

(3) Whenever the owner of a building desires separate metered service for different units, a separate tap with payment of applicable tap fees and a separate service line and meter shall be required for each unit.

(Ord 5-1997)

(4) Buildings with both commercial units and residential units shall be billed at the rate provided in Subsection 9-1-17(E) unless the owner purchases separate taps and is billed separately.

(Ord 5-1997)

(H) If at the time connection is actually made to the system or at the time service is first initiated following connection, the amount of the tap fees has been increased by the Town from what was paid previously at the time the tap was approved or connection made, the customer shall remit the additional amount at the time of connection or of initial service. Provided however, this Subsection is not applicable to taps purchased and approved before September 15, 1992.

(Ord 5-1997)

(I) All sewer taps which discharge sewer directly or indirectly to the East Ridgway Lift Station, unless exempted by a contract approved by the Town Council, shall be subject to a surcharge of fifty percent (50%) of the tap fees otherwise due. All property, unless otherwise authorized by the Town Council, lying east of the Uncompahgre River shall be required to discharge sewage through said lift station.

(Ord 11-2006)

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9-1-10 COMPULSORY SEWER SYSTEM CONNECTIONS.

(A) No individual or privately owned sewer treatment systems or facilities shall be allowed within the Town without express permission of the Town. Such permission may be granted for facilities requiring plumbing, only if extension of the Town's sewage collection system is unfeasible and the owner agrees to connect to the Town's system at his expense at anytime a main is within 400 ft. of the property line of his facilities. A permit for a privately owned treatment system may also be authorized for industrial wastes, which would otherwise be harmful to the Town's treatment plant. A permit for a completely contained individual sewage disposal system, such as a composting toilet or portable toilets

may be authorized for facilities which are not required to have plumbing, such as recreational facilities, subject to appropriate conditions to insure that no nuisance is created. Any privately owned system, ISDS, or portable toilets, must comply with applicable State regulations, and be properly maintained to avoid the creation of a nuisance. The lot area for a septic system shall be a minimum of one acre. (Ord 8-2008)

(B) The Town may require connection to the Town's sewer system at anytime a sewer main is within 400 ft. of the property line of the facility to be connected. Such connection shall be at the expense of the owner of such property, including payment of applicable tap fees. In the event the owner fails to make the connection and pay the applicable tap fees, the Town may make the connection and collect the costs incurred, including tap fees from the owner of the affected property.

(C) No water tap shall be granted unless accompanied by an application for a sewer tap with applicable tap fees, unless the activity does not produce sewage effluent or a permit for an individual sewage system is granted as allowed above.

9-1-11 TAPS NON-TRANSFERABLE.

All taps may be used only upon the property indicated on the tap application or upon the property for which they were originally granted.

9-1-12 OUT-OF-TOWN TAPS PROHIBITED.

No taps shall be granted to serve property outside of the corporate limits of the Town unless such property is being annexed.

9-1-13 SCHEDULING OF TAPS.

The Town shall have sole discretion to schedule the installation of taps.

9-1-14 ANNEXATION AGREEMENTS.

The Town Council may authorize annexation agreements which may provide taps or

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other consideration for annexation, however, the water and sewer funds shall be compensated by other funds of the Town for the cost of such taps. No taps shall be allowed without full payment of the applicable tap fees to the Town Water and Sewer Funds.

9-1-15 MAIN EXTENSIONS.

(A) No water or sewer main may be constructed or extended without approval of the Town. Any such main shall be connected to the Town's system and shall be dedicated to the Town upon approval of construction by the Town.

(B) Inside Original Town Plats: The Town may, at its own expense, extend the water and sewer mains within the area within the Town which was subdivided and platted at the time of incorporation, as feasible and desirable. It may require prepayment of tap fees or other consideration as appropriate in the discretion of the Town Council before allowing any extensions, including instances when increased capacity is required because of replatting or rezoning an area to allow a higher density or different use.

(C) In other areas within the Town, the Town may provide for extension of water and sewer mains in accordance with its subdivision regulations or by contract with any person desiring an extension. Such contract shall be on the terms approved by the Town Council and may provide for the size of mains to be extended, the apportionment of the costs, reimbursement provisions for subsequent taps onto such extensions, prepayment of tap fees, and such other provisions as the Town Council deems in the public interest. Such extensions will ordinarily be at the cost of the parties desiring the extension.

(D) The Town may enter into annexation agreements to provide for water and sewer extensions on such terms as may be agreed to as part of annexation procedures. No water or sewer lines shall be extended to any property outside of the Town which is not officially within the Town's corporate limits unless it is in the process of being annexed to the Town.

9-1-16 SEWER SERVICE RATES.

(A) Sewer rates for permanent residences including single family homes, duplexes, apartments, condominiums, mobile homes, mobile home parks, trailer courts, and for churches, non-profit lodges and non-profit civic organizations are as follows:

(1) Inside Town: \$25.00/month beginning on 1/1/2010; then \$30.00/month beginning on 1/1/2011; then \$35.00/month beginning on 1/1/2012 (per dwelling unit for residences). (Ord 8-2010)

(2) Outside Town: \$28.44/month beginning on 1/1/2010; then \$33.44/month beginning on 1/1/2011; then \$38.44/month beginning on 1/1/2012 (per dwelling unit for residences). (Ord 8-2010)

(3) Provided, however, that accessory dwelling units inside Town shall be subject

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to a minimum monthly charge per unit calculated to be 0.72 x the principal residential unit rate as provided in Subsection (A)(1) above. (Ord 8-2010)

(B) The sewer service rate for the public school shall be as provided in Subsections (C) and (D) below. (Ord 8-2009)

(C) Sewer rates for all users not provided for in Subsections (A) and (B) (including those customers which have both a residential and a non-residential use on the premises and are located within commercial, business or industrial zoning districts) shall be as follows:

(1) Inside Town: \$25.00/month beginning on 1/1/2010; then \$30.00/month beginning 1/1/2011; then \$35.00/month beginning on 1/1/2012; plus \$1.75 per 1,000 gallons of water used per month over 6,000 gallons per month. (Ord 8-2010)

(2) Outside Town: \$31.00/month beginning on 1/1/2010; then \$36.00 per month beginning on 1/1/2011; then \$41.00/month beginning on 1/1/2012; plus \$2.00 per 1,000 gallons of water used per month over 6,000 gallons per month. (Ord. 8-2010)

(3) Provided, however, that if the non-residential use qualifies as an accessory use to a residence pursuant to the criteria of Subsection 7-3-13(A) of Town zoning regulations, such customer shall be subject to the rates in Subsection (A) above. (Ord 8-2010)

(D) (1) A monthly surcharge for any users (other than the residential class) discharging wastewater with biological oxygen demand or concentrations of suspended solids greater than those of the average residential user* shall be computed in accordance with the following formula and added to the charge provided for in Subsections (B) and (C):

$$\text{Surcharge} = (\text{volume}) \times (\text{BOD} - 2.085) \times \$0.80$$

$$* \text{ Average residential User BOD} = 2.085 \text{ lbs/1000 gal.} = 250 \text{ mg/l}$$

(Ord 1-2001)

(2) If any user is discharging toxic or other pollutants in concentrations higher than that of a residential user which cause increased treatment or system costs, an additional surcharge may be imposed based upon the excess concentrations.

(3) Each customer's BOD will be assigned pursuant to Town regulations by the Town based upon available data from the Colorado Department of Health Individual Sewage Disposal System Guidelines or the best available engineering data, except when data based upon actual composite sampling, done in accordance with minimum State Health Department sampling procedure guidelines, is available, in which event such data shall be utilized.

(E) Full monthly sewer charges shall be charged at the time service is first initiated and continue until the tap is abandoned. (Ord. 7-2001)

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(F) Minimum charges for periods of service less than 1 month shall be pro-rated.

(G) In the event that any two separate structures are served by Town sewer from a single tap under circumstances where none of the foregoing rates specifically apply, the rate shall be computed in conformity with the provisions of Subsection (A) or (C), whichever is greater, without regard to what zoning district the property is located in, with each structure considered a separate unit for purposes of the calculation. The surcharge of Subsection (D) shall apply in accordance with its terms. (Ord 2-1997)

(H) Bills for customers whose rates are based in part on water usage, shall be calculated based on water delivered to the premises, as metered, unless the Town approves an adjustment based upon a reasonable estimate of water being used solely for irrigation purposes during the months of May through September. The customer must submit an application for the adjustment and all information needed by the Town from time to time to make reasonable estimates of irrigation water usage. If the customer is dissatisfied with the Town estimate, or the Town is unable to provide a reasonable estimate, the customer may have the bill adjusted based on separately metered irrigation systems installed at the customer's expense off of the existing tap. (Ord 4-2000)

9-1-17 WATER SERVICE RATES.

(Restated by Ord 6-2018)

(A) (1) Single family homes, mobile homes, churches, and non-profit lodges and civic organizations shall be subject to the following charges for each meter serving the customer:

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Type of Customer	Minimum Monthly Charge 0 to Base gal./mo	Rate for Use over Base and up to 10,000 gal./month	Rate for Use 10,000 and up to 15,000 gal./month	Rate for Use Over 15,000 gal./month
Customer age 65 & over owning a single family home or mobile home, and enrolled in the Senior Rate prior to 1/1/2009*	<p>Beginning on 12/1/18: Base gallons: 7000 Base Cost: \$32.75;</p> <p>Beginning on 12/1/19: Base gallons: 6000 Base Cost: \$32.75;</p> <p>Beginning on 12/1/20: Base gallons: 6000 Base Cost: \$37.75;</p> <p>Beginning on 12/1/21: Base gallons: 6000 Base Cost: \$42.75;</p> <p>Beginning on 12/1/22: Base gallons: 6000 Base Cost: \$47.75;</p> <p>Beginning on 12/1/23: Base gallons: 6000 Base Cost: \$52.75</p>	\$10.50/1,000 gal.	\$15.00/1,000 gal.	\$20.00/1,000 gal.
Vacancy Rate	<p>Beginning on 12/1/18: \$22.75;</p> <p>Beginning on 12/1/20: \$27.75;</p> <p>Beginning on 12/1/21: \$32.75;</p> <p>Beginning on 12/1/22: \$37.75;</p> <p>Beginning on 12/1/23: \$42.75</p>	N/A	N/A	N/A
All others Residential per dwelling unit (Multi-unit meters over their base allotment will be averaged and charged according to tier) ADUs = 0.72XUnit rate	<p>Beginning on 12/1/18: Base gallons: 7000 Base Cost: \$42.00;</p> <p>Beginning on 12/1/19: Base gallons: 6000 Base Cost: \$42.00;</p> <p>Beginning on 12/1/20: Base gallons: 6000 Base Cost: \$47.00;</p> <p>Beginning on 12/1/21: Base gallons: 6000 Base Cost: \$52.00;</p> <p>Beginning on 12/1/22: Base gallons: 6000 Base Cost: \$57.00;</p> <p>Beginning on 12/1/23: Base gallons: 6000 Base Cost: \$62.00</p>	\$10.50/1,000 gal.	\$15.00/1,000 gal.	\$20.00/1,000 gal.

* Senior rates are no longer offered after 1/1/2009

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(2) In order to qualify for the vacancy rate, the customer must notify the Town of the vacancy and pay a shut-off fee of \$30.00. Before the water can then be turned back on, the customer must pay a turn-on fee of \$30.00. No water may be used at that meter during the vacancy period. In the event of failure to meet these requirements, the bill shall be adjusted to the regular rate.

(B) (1) Accessory dwelling units shall be subject to a minimum monthly charge per unit calculated to be 0.72 x the principal residential unit rate as provided in Subsection (A)(1) above.

(2) Each unit in multiple residences and dwelling facilities including but not limited to duplexes, multi-family residences, apartments, mobile homes and mobile home parks, providing permanent residences and utilizing a single meter, shall be subject to the applicable rate for the principal residential unit rate as provided in Subsection (A) above. Water used in any month in the amount greater than the base amount e.g. (Base Amount in gallons at \$42.00 for the first unit + Base Amount in gallons at \$42.00 for the second unit, etc. for each unit or space served by the meter) shall be billed at the rates identified in Subsection (A)(1) for the associated base rate changes over time and the additional gallons used per unit.

(C) The following rates shall apply to the Ridgway public schools, but shall not include the provision of non-potable Town water for irrigation purposes:

Type of Customer	Minimum Monthly Charge	Rate for Use Over 10,000 gal./month and up to 50,000 gal./month	Rate for Use Over 50,000 gal./month
Ridgway Schools	Beginning on 12/1/18: Base gallons: 10,000 Base Cost: \$97.00; Beginning on 12/1/19: Base gallons: 10,000 Base Cost: \$105.00	\$10.50/1,000 gal.	\$15.00/1,000 gal.

(D) The sale of bulk water is prohibited.

(E) (1) All other customers (including customers with both a residential and a non-residential use on the same premises which are located in commercial, business or industrial zoning districts) shall pay the following charges for each meter serving the customer.

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Type of Customer	Minimum Monthly Charge	Rate for Use Over 4,000 gal./month and up to 10,000 gal./month	Rate for Use Over 10,000 gal./month and up to 15,000 gal./month	Rate for Use Over 15,000 gal./month
All other Customers (commercial, industrial, multi-use, etc.)	Beginning on 12/1/18: Base gallons: 4,000 Base Cost: \$42.00	\$10.50/1,000 gal.	\$15.00/1,000 gal.	\$20.00/1,000 gal.

Provided, however, that accessory dwelling units inside Town shall be subject to a minimum monthly charge per unit calculated to be .72 x the principal unit rate as provided in Subsection (A)(1) above; and further provided, however, that if the non-residential use qualifies as an accessory use to a residence pursuant to the criteria of Subsection 7-3-13(A) of Town Zoning Regulations, such customer shall be subject to the rates in Subsection (A)(1) above.

(F) Water service charges shall be charged at the time service is first initiated and continue until the tap is abandoned.

(G) Minimum charges for periods of service less than one month shall be pro-rated.

(H) In the event that any two separate structures are served by Town water from a single meter under circumstances where none of the foregoing rates specifically apply, the rate shall be computed in conformity with the provisions of Subsection (B) with each structure considered a separate “unit” for purposes of the calculation regardless of its use.

9-1-18 BILLS.

Unless otherwise provided by a resolution of the Town Council, water and sewer service bills shall be billed monthly per meter readings on a schedule to be determined by the Town. Each bill shall specify a due date. Any bill not paid by the due date shall be subject to a \$10.00 penalty. (Ord 1-2002)

9-1-19 UNPAID WATER AND SEWER CHARGES.

(A) Lien:

All water and sewer charges, including service charges, tap fees, turn-on and turn-off charges, and any other charges, including penalties and interest imposed by this Section, shall be a lien on the property served as of the date the charges are billed or due.

(B) Remedies:

In addition to any other remedies the Town may have, the Town may take the following action upon failure to pay charges imposed by this Section, including any penalties or interest within 30 days of the due date of such charge.

(1) The Town may foreclose the lien imposed by this Section in accordance with

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law.

(2) The Town may maintain an action for the amount of charges due in a court of competent jurisdiction, including interest as allowed by law and attorney's fees.

(3) The Town may certify the amount of charges due to the County Clerk and Treasurer to become an assessment upon the property served to be collected with taxes upon such property.

(4) The Town may prosecute the customer or owner in municipal court for unlawful failure to pay the charges imposed by this Section.

(5) The Town may shut-off water service to any premises for which charges are not paid in accordance with the procedure set out in Subsection 9-1-20.

9-1-20 WATER SERVICE SHUT-OFF.

(A) In the event any person fails or refuses to pay any charges for water service within 30 days of the due date or fails to comply with other provisions of this Section, the Town may shut-off the water to the premises served.

(B) Prior to shutting off the water, the Town shall send a notice to the customer at his address as shown on Town records, stating the reason for the shut-off of service and the date upon which the service may be shut-off, unless the charges are paid or other specified violation is corrected. Such date shall be at least 10 days after the deposit of the letter giving notice of shut-off in the U.S. Mail. However, during the enactment of Stage 3 or Stage 4 of Ridgway's Water Conservation and Management Plan and/or when Section 9-1-28 Water Wasting is being enforced by the Town, the Town shall notify the customer in the most expedient manner possible including but not limited to: email, hand-delivery, telephone call, or other method effective to put the customer on notice of the leak, and the customer shall remedy, stop or repair the leak within 48 hours of notification or the water may be shut-off. (Ord 5-2018)

(C) The customer shall be entitled to a hearing with an authorized Town representative for the purpose of resolving any dispute concerning the amount due or the violation specified. The notice of shut-off shall so advise the customer.

(D) If the customer requests a hearing, an informal hearing shall be scheduled before a Town official as soon as possible by the Town.

(E) Following the hearing, if the Town's authorized representative determines the matter adverse to the customer, service may be shut-off immediately or on the date specified on the notice of shut-off whichever is later.

(F) The customer may appeal any such decision to the Town Council where he will be allowed a hearing, providing he makes a deposit with the Town in the amount of all charges due,

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if applicable.

(G) If the Town shuts off water service pursuant to this Section, service will not be restored until all overdue charges, penalties, interest, attorney's fees, and other additional charges which have been billed have been paid. In addition, a \$25.00 fee shall be required to restore service. Monthly water and sewer charges shall continue to accrue while service is shut-off.
(Ord 9-1997)

9-1-21 ABANDONMENT OF TAPS.

Any customer may permanently terminate water and sewer service and no longer be subject to monthly service charges by submitting a written request for termination to the Town. Once a tap is declared abandoned, the water meter shall be removed. The tap may not be put back into use until a new tap application is approved with payment of applicable tap fees. No credit or rebate of tap fees shall be allowed on account of abandonment.

9-1-22 NON-TRIBUTARY GROUNDWATER.

All groundwater from the Dawson, Denver, Arapahoe, Laramie-Fox Hills, and Dakota aquifers, and other non-tributary groundwater underlying land included within the corporate limits of the Town of Ridgway as of January 1, 1985, is hereby incorporated in the actual municipal service plan of the

Town, pursuant to and in accordance with the provisions and exceptions of C.R.S. 37-90-137.

The Town shall file a copy of the map of such Town limits with the State Engineer.

9-1-23 WATER BREAK ADJUSTMENTS.

(A) The Town Council shall have authority to make an equitable adjustment to a water bill, and a sewer bill based on water usage, when the bill is extraordinarily high due to an undiscovered break downstream of the customer's meter, if the break was not caused by the customer's negligence and the customer did not have a reasonable opportunity to discover the break more quickly than it was discovered.
(Ord 4-2000)

(B) No adjustment shall be allowed unless the customer submits a written request for the adjustment within fifteen days of the mailing of the bill in question and unless the leak has been repaired.

(C) The adjustment shall not reduce the customer's bill below the cost of the Town producing the water supplied through the meter.

9-1-24 TAP SURCHARGES.

(A) Sewer taps served directly or indirectly by the sewer main and lift station

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constructed by the Yates Subdivision Sewer Improvement District in 1991 shall be subject to a tap fee surcharge equivalent to \$1,500 for a 4" sewer tap prorated by tap size capacity.

(B) Water taps within the intermediate pressure zone constructed in 1992 in the South Amelia Street area shall be subject to a tap fee surcharge equivalent to \$375 for a 3/4" water tap prorated by tap size capacity.

9-1-25 ENFORCEMENT.

(A) Any violation of this Section 9-1 is hereby declared to be nuisance, and may be abated in any manner allowed by law.

(B) The Town may maintain an action in any court of competent jurisdiction to enjoin any violation of this Section and to recover any damages the Town is caused as a result of any violation of this Section.

9-1-26 PROHIBITED SEWER SYSTEM DISCHARGES.

(A) It shall be unlawful to discharge anything to the Town sewer system which would inhibit, interfere, or otherwise be incompatible with operation of the sewage treatment works or system including the use or disposal of municipal sewer sludge.

(B) It shall be unlawful to introduce the following pollutants to the Town's sewer system from any source:

(1) Pollutants which create a fire or explosion hazard in the treatment facility, including, but not limited to, waste-streams with a closed cup flash point of less than sixty (60) degrees Centigrade

(140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21;

(2) Pollutants which will cause corrosive structural damage to the sewage treatment facility, but in no case discharges with a pH of lower than 5.0 s.u.;

(3) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the sewer system or treatment facility, or interference with the operation of the sewer system or treatment facility;

(4) Any pollutant, including oxygen demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with any treatment process at the sewage treatment facility;

(5) Heat in amounts which will inhibit biological activity in the sewage treatment facility resulting in interference but in no case heat in such quantities that the temperature in any treatment plant liquid stream exceeds forty (40) degrees Centigrade (104 degrees Fahrenheit);

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(6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the sewage treatment facility in a quantity that may cause acute worker health and safety problems;

(8) Any trucked or hauled pollutants unless authorized by a permit approved by the Town Council.

(9) Any specific pollutant which exceeds a local limitation established by the Town in accordance with the requirements of 40 CFR 403.5(c) and (d); and

(10) Pollutants in violation of specific pretreatment limitations promulgated for specific industrial categories under Section 307 of the Federal Clean Water Act (40 CFR 405 et seq.).

(11) The discharge of wastewater or process water from commercial agriculture irrigation operations, including cultivation and processing of marijuana, without the prior written approval of the Town, which may include issuance of a permit. (Ord 2-2014)

9-1-27 CROSS-CONNECTION AND BACKFLOW PREVENTION

(Added by Ord 3-2016)

(A) This Section shall apply to all commercial, industrial and multi-family service connections within the public water system and to any persons outside the Town who are, by contract or agreement with the Town, users of the Town's public water system. This Ordinance does not apply to single-family-residential service connections unless the service connection includes a sprinkler system or in the event the Town becomes aware of a cross-connection at the single family connection. In the event there are no such hazards identified, such residences shall include a meter yoke with a dual check valve.

(B) The Town shall have the authority to survey all service connections within the distribution system to determine if the connection is a cross-connection or potential cross-connection.

(C) The Town shall have the authority to control all service connections within the distribution system if the connection is a cross-connection.

(D) The Town may control any service connections within the distribution system in lieu of a survey as long as the service connection is controlled with an air gap or reduced pressure zone backflow prevention assembly.

(E) The Town may collect fees in accordance with a fee schedule developed from time to time for the administration of this program.

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(F) In accordance with the requirements of the Colorado Department of Public Health and Environment, the Town shall maintain records of cross-connection surveys and the installation, testing and repair of all backflow prevention assemblies installed for containment and containment by isolation purposes.

(G) Except as otherwise provided herein, the Town shall administer, implement and enforce the provisions of this regulation.

(H) Commercial, industrial and multi-family service connections shall be subject to a survey for cross-connections. If a cross-connection has been identified an appropriate backflow prevention assembly and/or method shall be installed at the Customer's water service connection within 120 days of its discovery. The assembly shall be installed immediately downstream of the water meter or as close to that location as deemed practical by the Town. If the assembly or method cannot be installed within 120 days the Town shall take action to control or remove the cross-connection, suspended service to the cross-connection or receive an alternative compliance schedule from the Colorado Department of Public Health and Environment.

(I) In no case shall it be permissible to have connections or tees between the meter and the containment backflow prevention assembly.

(1) In instances where a reduced pressure principle backflow preventer cannot be installed, the owner must install approved backflow prevention devices or methods at all cross-connections within the owner's plumbing system.

(J) Backflow prevention assemblies and methods shall be installed in a location which provides access for maintenance, testing and repair. Submit plans to Town that show the location of the proposed installation and its accessibility for testing and maintenance.

(K) Reduced pressure principle backflow preventers shall not be installed in manner subject to flooding.

(L) Provisions shall be made to provide adequate drainage from the discharge of water from reduced pressure principle backflow prevention assemblies. Such discharge shall be conveyed in a manner which does not impact waters of the state.

(M) All assemblies and devices shall be protected to prevent freezing. Those assemblies and methods used for seasonal services may be removed in lieu of being protected from freezing. The devices must be reinstalled and then tested by a certified cross-connection control technician prior to the service being reactivated.

(N) Where a backflow prevention assembly or method is installed on a water supply system using storage water heating equipment such that thermal expansion causes an increase in pressure, a device for controlling pressure shall be installed.

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(O) All backflow prevention assemblies shall be tested at the time of installation and on an annual schedule thereafter. Such tests must be conducted by a Certified Cross-Connection Control Technician and approved by the Town.

(P) The Town requires inspection, testing, maintenance and as needed repairs and replacement of all backflow prevention assemblies and methods, and of all required installations within the owner's plumbing system in the cases where containment assemblies and/or methods cannot be installed.

(Q) All costs for design, installation, maintenance, testing and as needed repair and replacement are to be borne by the Customer.

(R) No grandfather clauses exist. All laws and regulations apply regardless of the age of the facility except for fire sprinkler systems where the installation of a backflow prevention assembly or method will compromise the integrity of the fire sprinkler system.

(S) Backflow prevention valves are not to be used as the inlet outlet valve for the water meter. Test cocks shall not be used as supply connections.

(T) For new buildings, all building/plumbing plans must be submitted to the Town's cross-connection control technician and approved prior to the issuance of water service. Plans must show at a minimum:

(1) Water service type, size and location

(2) Meter size and location

(3) Backflow prevention assembly size, type and location

(4) Fire sprinkler system(s) service line, size and type of backflow prevention assembly. These requirements for sprinkler systems are applicable to both new and existing suppression systems.

(a) All fire sprinkling lines shall have a minimum protection of an approved double check valve assembly for containment of the system. Backflow assemblies on fire lines shall have outside stem and yoke ("OS & Y") valves and be listed by the National Fire Protection Association.

(b) All glycol (ethylene or propylene), or antifreeze systems shall have an approved reduced pressure principle backflow preventer for containment.

(c) Dry fire systems shall have an approved double check valve assembly installed upstream of the air pressure valve.

(d) In cases where the installation of a backflow prevention assembly or method will compromise the integrity of the fire sprinkler system the

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Town will not require the backflow protection. For such cases, the Town will measure chlorine residual at the service connection once a month and perform periodic bacteriological testing at the site. In the event the public water system suspects water quality issues; the public water system will evaluate the practicability of requiring that the fire sprinkler system be flushed periodically.

(e) Single Family residences with a fire sprinkler system with no chemicals added shall be protected by a double check valve.

(U) INSTALLATIONS

(1) All backflow prevention assemblies shall be installed in accordance with manufacturer recommendations and Town requirements.

(2) Protect all installations from freezing.

(3) Pressure vacuum breaks shall be used where the assembly is never subject to backpressure if installed a minimum of 12" above the highest pipe or outlet downstream of the assembly in a manner to preclude back pressure.

(4) An atmospheric vacuum breaker shall only be used where the assembly is:

(a) Installed as an isolation assembly.

(b) Never subjected to continuous pressure, defined as more than 12 hours of continuous pressure.

(c) Installed with the air inlet in a level position and a minimum of 6" above the highest piping or outlet it is protecting.

(5) Double check valve assemblies may be installed in below grade vaults when these vaults are properly constructed and protected from freezing.

(6) Reduced pressure backflow preventers will be installed above ground. The relief port of the unit shall be placed at least 12" above finished grade. A concrete slab at finished grade is recommended. Proper drainage shall be provided for the relief valve and may be piped away from the location provided it is readily visible from above grade and provide the relief valve is separated from the drain line by a minimum of 2 times the diameter for the supply line. A modified vault installation may be used if constructed with ample side clearances and drainage.

(V) INSPECTION, TESTING AND REPAIR

(1) Backflow prevention devices or methods shall be tested by a Certified Cross-Connection Control Technician upon installation and tested at least annually, thereafter. The tests

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shall be made at the expense of the Customer.

(2) Any backflow prevention devices or methods that are non-testable, shall be inspected at least once annually by a Certified Cross-Connection Control Technician. The inspections shall be made at the expense of the Customer.

(3) As necessary, backflow prevention devices shall be repaired and retested or replaced and tested at the expense of the Customer whenever the devices are found to be defective.

(4) Testing gauges shall be tested and calibrated for accuracy at least once annually.

(5) The Town retains the right to test or otherwise check the installation and operation of any containment assembly at any time to assure proper operation.

(W) REPORTING AND RECORDKEEPING

(1) Copies of records of test reports, repairs and retests, or replacements shall be kept by the Customer for a minimum of three (3) years.

(2) Copies of records of test reports, repairs and retests shall be submitted to the Town by mail, hand delivery or e-mail by the testing company or testing technician. Failure to test and submit test results to the Town may be cause for discontinuation of service.

(3) Information on test reports shall include, but may not be limited to:

- (a) Assembly or method type
- (b) Assembly or method location
- (c) Assembly make, model and serial number
- (d) Assembly size
- (e) Test date; and
- (f) Test results including all results that would justify a pass or fail outcome
- (g) Certified Cross-Connection Control Technician certification agency
- (h) Technician's certification number
- (i) Technician's certification expiration date
- (j) Test kit manufacturer, model and serial number
- (k) Test kit calibration date

(X) RIGHT OF ENTRY

(1) A properly credentialed representative of the Town shall have the right of entry to survey any and all buildings and premises for the presence of cross-connections for possible contamination risk to, and for determining compliance with this section. This right of entry shall be a condition of water service in order to protect the health, safety and welfare of

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Customers throughout the Town's water distribution system.

(Y) COMPLIANCE

(1) Customers shall cooperate with the installation, inspection, testing, maintenance, and as needed repair and replacement of backflow prevention assemblies and with the survey process. For any identified uncontrolled cross-connections, the Town is required by the Colorado Department of Public Health and Environment to complete one of the following actions within 120 days of its discovery:

- (a) Control the cross-connection
- (b) Remove the cross-connection
- (c) Suspend service to the cross-connection

(2) The Town must give notice in writing to any owner whose plumbing system has been found to present a risk to the Town's water distribution system through an uncontrolled cross-connection.

The notice and order shall state that the owner must install a backflow prevention assembly or method at each service connection to the owner's premises to contain the water service. The notice and order shall give a date by which the owner must comply with the order.

(3) In instances where a backflow prevention assembly or method cannot be installed, the owner must install approved backflow prevention devices or methods at all cross-connections within the owner's water supply system. The notice and order will give a date by which the owner must comply with the order.

(Z) VIOLATIONS AND PENALTIES

(1) Any violation of the provisions of this ordinance, shall, upon conviction be punishable as provided in all applicable statutes, laws, and regulations.

(AA) ENFORCEMENT

(1) This program may be enforced and administered pursuant to applicable provisions of the Town Code, the Town Building Code, and State Plumbing Code, including but not limited to rights of entry, inspection, water shut off, abatement of nuisances, and prosecution in municipal court.

(BB) CONFLICT

(1) In the event of a dispute or conflict arises between the Colorado Plumbing Code as adopted herein, and any plumbing, mechanical, building, electrical, fire or other code adopted by the State, then the most stringent provisions of each respective code shall prevail.

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9-1-28 CROSS-CONNECTION AND BACKFLOW PREVENTION

(Enacted by Ord 5-2018)

(A) Water Wasting is always discouraged; however, during the enactment of Stage 3 or Stage 4 of Ridgway's Water Conservation and Management Plan, Water Wasting is prohibited. The Town or a representative code enforcer can determine an action to be Water Wasting at their discretion if the action matches the Water Wasting Definition found in Section 9-1-1. Water Wasting includes but is not limited to the following actions:

- (1) Allowing water to spray or overflow onto sidewalks, driveways, streets, drainages or any hard surface.
- (2) Washing outdoor impermeable surfaces (i.e. driveways, walks, patios, etc.) with a hose or spray nozzle.
- (3) Washing of vehicles or recreational equipment.
- (4) Failing to notify the Town of a known water leak or needed repair in the Town's distribution system or water supply system within 72 hours of discovery.
- (5) Operating ornamental water features.
- (6) Failure to fix a leak downstream of the customer's meter within 48 hours of notification by the Town.

(B) Exceptions to Section 9-1-28(A) or the Water Wasting definition include the following:

- (1) In cases where public health or safety is a concern.
- (2) The installation, repair or maintenance of a water supply system when the operator or maintenance personnel are present.