

CHAPTER 13

Municipal Utilities

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ARTICLE I

Sewer Regulations

Sec. 13-1-10. Definitions.

For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed them by this Section:

Nonacceptable wastes means any of the following wastes:

- a. Any liquid or vapor having a temperature higher than one hundred sixty-two (162) degrees Fahrenheit, as it enters the collection line.
- b. Any water or waste having more than one thousand (1,000) parts per million by weight of five-day biological oxygen demand.
- c. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- d. Any garbage that has not been properly shredded.
- e. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, grit, brick, cement, onyx, carbide or any other solid or viscous substance capable of obstruction of the flow of the sewers or other interference with the proper operation of the sewage works, including without limitation organic compounds which will react with sewer pipe material.
- f. Any water or waste having a pH lower than 5.5 or higher than 9 or having any other corrosive property capable of

causing damage or hazard to structures, equipment or personnel of the sewage works.

g. Any water or waste containing a toxic or poisonous substance in sufficient quantities to injure or interfere with the sewage process, constituting a hazard to humans or animals or creating any hazard in the receiving waters of the sewage treatment plant.

h. Any water or waste containing suspended solids of such character or quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

i. Any noxious or malodorous gas or substance capable of creating a public nuisance.

j. Septage from recreational vehicles.

Sanitary sewage means the waste from water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, cellar floor drains, bars, soda fountains, cuspidors, refrigeration drips, drinking fountains and any other waterborne waste not constituting a nonacceptable waste as defined in above. (Ord. 7-1980 §1; Ord. 2-2005 §1)

Sec. 13-1-20. Connection with sanitary sewer required; exception; use of private sewage disposal system.

- (a) Except where otherwise provided, no person shall maintain within the Town any privy, privy vault, septic tank, cesspool or other facility intended for use for the disposal of sewage.

(b) Where a public sanitary sewer is not available within the Town or in any area under the jurisdiction of the Town, the building sewer shall be connected to a private sewage disposal system complying with the provisions and recommendation of the Colorado Department of Public Health and Environment. Such private sewage disposal system shall be constructed, maintained and operated at all times in a sanitary manner.

(c) At such time as a public sanitary sewer becomes available to property served by a private sewage disposal system, a direct connection shall be made to the public sanitary sewer in accordance with the provisions of this Article, and any septic tank, cesspool or similar sewage disposal facilities shall be abandoned and filled with suitable material. In the event the owner of any such premises fails to make such connection, the Town may proceed to enforce the requirements of this Section in the manner specified in Part 6 of Article 35, Title 31 of C.R.S.

(d) Public sanitary service shall be deemed to be available for any structure if a public sanitary service main sewer line is located within four hundred (400) feet of any property line of the parcel on which it is located. (Ord. 7-1980 §2; Ord. 2-2005 §1)

Sec. 13-1-30. Sewer tap permit required.

It shall be unlawful for any person to open, uncover or in any manner make connection with any sewer main or line of the Town, or to lay drain or sewer pipes on any premises or in any street or alley in the Town without first obtaining a written permit therefor from the Town Clerk. No sewer tap owner shall use or permit the owner or occupant of any other structure or premises to use or make connection with his or her sewer tap for more than one (1) structure or premises, except by the purchase of an additional tap for each such additional use. The term

other structure or premises shall include, without limitation, any additional dwelling, business building, mobile home, detached apartment or other structure separate and apart from the primary residence of business of the sewer tap owner. Nothing herein shall prohibit the sale and purchase of a commercial tap for mobile home parks, recreational vehicle parks, or similar uses for three (3) or more such structures, as may be approved by the Board of Trustees. Any additional or multiple uses in existence as of or approved prior to the effective date of the ordinance codified herein may continue; provided, however, that such uses shall terminate upon discontinuation of the use and may be reestablished only upon the purchase of an additional tap as required hereinabove. When any property of a sewer tap owner is subdivided, each dwelling unit or commercial structure located upon said property shall be served by a separate tap. (Ord. 7-1980 §3; Ord. 3-1987 §1; Ord. 2-2005 §1)

Sec. 13-1-40. Application.

The application for said permit shall be in writing and shall contain the following information:

- (1) Name and address of the applicant;
- (2) Name and address of the owner of the premises where said connection is to be made and/or drain or line is to be laid;
- (3) Location of the proposed connection, drain or sewer pipes;
- (4) Statement as to the type of connection and type of materials to be discharged into the sewer; and
- (5) Statement as to whether said connection is to be made to the sanitary sewer. (Ord. 7-1980 §4; Ord. 2-2005 §1)

Sec. 13-1-50. Issuance of permit.

If the proposed connection does not violate any provision herein and does not violate any other laws of the Town, the Town Clerk shall issue a permit for such connection. Such permit shall contain all information contained in said application and shall specify the type and kind of grease and sand traps to be used, if applicable. (Ord. 7-1980 §5; Ord. 2-2005 §1)

Sec. 13-1-60. Tapping fee.

At the time of filing the application, the applicant shall pay a tap fee, for the privilege of connecting to the sewer system any existing sanitary facility within or without the corporate limits of the Town, of the sum of one thousand dollars (\$1,000.00), and for the connection to the sewer of any newly constructed sanitary facility, either within or without the corporate limits of the Town, the sum of one thousand five hundred dollars (\$1,500.00). (Ord. 7-1980 §6)

Sec. 13-1-70. Construction of sewers.

Any user of the public sanitary sewer system, either inside or outside of the corporate limits of the Town, shall build his or her own sewer service line extending from the structure to be served to the main sewer line of the public sanitary sewer system. Such sewer service line installation shall be made in compliance with the State Plumbing Code. All connections to the public sanitary sewer system (sewer taps) shall be made by employees of the Town, and the costs and expenses thereof shall be paid by the user in addition to the tap fee assessed pursuant to Section 13-1-60 above. The user shall be solely responsible for the maintenance and operation of his or her service line to the point of connection with the public sanitary sewer system main line. In the event that a user cannot make a gravity-flow connection with the public sanitary sewer system main line, the Town may require the user to install and maintain a lift station as necessary to assure that the sewer connection will operate reliably. No such private

lift station shall serve more than one (1) user without the consent of the Town. If the Town consents to the installation of a lift station to serve more than one (1) user, the lift station shall be installed by the Town and the costs thereof shall be paid by the users thereof in addition to any tap fee assessed pursuant to Section 13-1-60 above and, after installation, the lift station or other device shall become part of the public sanitary sewer system to be operated and maintained by the Town. If the lift station serving more than one (1) user is to be located upon private land, the users shall grant to the Town a good and sufficient easement for the operation, maintenance and replacement thereof. The Town's responsibility for maintenance and cleaning shall end at the sewer tap or at the upstream side of any lift station serving more than one (1) user. (Ord. 7-1980 §7; Ord. 2-2005 §1)

Sec. 13-1-80. Discharge of nonacceptable wastes into sewer prohibited.

The discharge of nonacceptable wastes into the Town sewer system, whether directly or indirectly, is prohibited. Where investigation reveals the presence in the system of nonacceptable wastes emanating from any lot, land, building or premises, the owner, lessor, renter or occupant of such lot, land, building or premises shall be required, at his or her own expense, to treat, neutralize or in other ways prepare the noxious substance therein in order to convert the same into acceptable wastes. Such waste treatment shall conform to EPA Industrial Pretreatment Guidelines as a minimum standard of compliance. (Ord. 7-1980 §8; Ord. 2-2005 §1)

Sec. 13-1-90. Use of grease, oil, sand, etc., interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the Director of Public Works, they are necessary for the proper handling of any liquid waste containing grease

in excessive amounts or any flammable waste, sand or other harmful ingredients; except that such interceptor shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director of Public Works and shall be located as to be readily and easily accessible for cleaning and inspection. (Ord. 7-1980 §9; Ord. 2-2005)

Sec. 13-1-100. Control manhole required.

When required by the Director of Public Works, the owner of any property served by a building sewer carrying industrial waste shall install a suitable control manhole in the building sewer to facilitate observation and sampling of the waste. Such manholes, when required, shall be accessible and safely located and shall be constructed in accordance with the plans approved by the Director of Public Works. The manholes shall be installed by the owner at his or her expense and shall be maintained by him or her so as to be safe and accessible at all times. (Ord. 7-1980 §10; Ord. 2-2005)

Sec. 13-1-110. Abandonment of connection.

No person shall abandon any building connection without first obtaining a written permit therefor. Such building connection shall be effectively sealed under the supervision of the Director of Public Works. (Ord. 7-1980 §11; Ord. 2-2005 §1)

Sec. 13-1-120. Interference with Town employees or excavating streets for sewer connections prohibited.

No person shall in any way interfere with the employees of the Town in any discharge of their duties, in the tapping of any sewer pipe, main or lateral. No person shall dig up or cause to be dug up any street or alley in the Town for the purpose of connecting with the sewer system of

the Town and fail or neglect to replace the street or alley in its original conditions. (Ord. 7-1980 §12)

Sec. 13-1-130. Deposit of unsanitary wastes on property prohibited.

No person shall deposit or permit to be deposited in any unsanitary manner, upon public or private property within the Town or within any area within the jurisdiction of the Town, any human or animal excrement wastes. (Ord. 7-1980 §13)

Sec. 13-1-140. Deposit of untreated industrial waste into natural outlets prohibited.

No person shall discharge into any natural outlet within the Town, or any area within the jurisdiction of the Town, any sanitary sewer industrial waste or other polluted waste, except where suitable treatment has been provided. Such waste treatment shall conform to EPA Industrial Pretreatment Guidelines as a minimum standard of compliance. (Ord. 7-1980 §14; Ord. 2-2005 §1)

Sec. 13-1-150. Damaging, tampering with sewers prohibited.

No person shall maliciously, willfully or negligently break, damage or destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Town sanitary sewer system. (Ord. 7-1980 §15)

Sec. 13-1-160. Rates and charges for use of sewers.

(a) There is hereby levied and charged on each lot, parcel of land and premises served by or having sewer connection with the sanitary sewer system of the Town, or otherwise discharging sanitary sewage, industrial waste, water

or other liquids either directly or indirectly into the Town sanitary sewer system, a sewer service charge or rental in an amount which shall be established by the Board of Trustees by resolution from time to time. Changes in such rates and charges, including tap fees and monthly service charges, shall become effective upon public notice of twenty (20) days.

(b) Over and above the rates and charges established by this Section, there may be established, in special instances and by special agreement between the Town and the owner of any premises served by the Town sewer system, such additional charges for commercial or industrial wastes of unusual strength or composition that are accepted by the Town for treatment as may be determined to be fair and equitable. Each such special agreement and charges established therefor shall not become effective until ratified by resolution passed by the Board of Trustees.

(c) Nothing in this Section shall be construed to prevent any special agreement between the Town and other municipalities, quasi-municipalities, sanitation districts, additions and development areas outside the Town concerning sewerage facilities, which shall not become effective until ratified by resolution passed by the Board of Trustees; provided that the rates established by such agreement or arrangement shall not be less than one and one-half (1½) times the rate for the same class of users within the Town.

(d) The rates set forth hereinabove for out-of-Town users shall apply to all property in the unincorporated territory adjacent to the Town traversed by or within four hundred (400) feet of the sewer system out-fall pipeline or any collection sewer line which may be extended into such territory in the future. (Ord. 7-1980 §16; Ord. 2-2005 §1)

Sec. 13-1-170. Commencement of service charges; billing and payment.

(a) Service charges levied hereinabove shall commence upon installation of a user's tap or the expiration of sixty (60) days from the date of issuance of the sewer tap permit, whichever occurs first. In the event a tap has not been installed within six (6) months from the date of issuance of the permit, the Town may at its option cancel the permit, whereupon it shall refund the tap fee to the purchaser.

(b) The sewer charges levied pursuant to this Article shall be payable monthly and shall be added to and made a part of the monthly water bill of the various properties in the Town. Properties outside the Town shall pay monthly and in advance, or as provided by agreement. If the same are not paid within ten (10) days after the billing date, a penalty of five dollars (\$5.00) shall be added to such bill to defray costs of collection. (Ord. 7-1980 §18; Ord. 2-2005)

Sec. 13-1-180. Collection of unpaid and overdue charges.

Each sewer charge levied pursuant to this Article shall be a lien therewith and, if the same is not paid within ten (10) days after it becomes due and payable, the Town Clerk shall certify such unpaid rates or charges and penalties to the County Treasurer to be placed by him or her upon the tax list for the current year, to be collected in the same manner as other taxes are collected; and the same shall become a lien against the real property served and shall be collected and paid over by the County Treasurer to the Town in the same manner as taxes, pursuant to Section 31-35-617, C.R.S., and all laws for the sale of property taxes and redemption of the same shall apply thereto. Delinquent charges for out-of-Town users shall be collected in the manner set forth in Section 31-35-708, C.R.S. (Ord. 7-1980 §19; Ord. 2-2005 §1)

Sec. 13-1-190. Disposition and use of funds.

The funds received from the collection of charges and rentals authorized by this Article shall be deposited, paid out and applied only in the manner and form provided for the issuance of sanitary sewer refunding and paying outstanding sanitary sewer revenue bonds of the Town, and for extending and improving the Town's sanitary sewer system and treatment plant, such funds to be known and established as the "Sanitary Sewer Refunding and Improvement Bond Fund"; however, nothing contained in this Article shall be construed in any way to prevent the Board of Trustees from applying and crediting to such fund available money derived from other sources. (Ord. 7-1980 §20)

Sec. 13-1-200. Restrictions on transfer of taps.

Each sewer tap shall be installed and used only upon the premises designated in the application for the tap and no assignment, conveyance or other transfer of any tap apart from such premises shall be binding upon the Town, without the prior consent of the Board of Trustees. Taps applied for prior to construction of the municipal sewage system shall be installed on premises owned by the original applicant; and no assignment, conveyance or transfer of any tap apart from such premises shall be binding upon the Town without the prior written consent of the Board of Trustees. All costs of relocating an existing sewer tap to any structure or premises other than the one for which it was originally issued shall be borne by the owner of the sewer tap, or his or her transferee. (Ord. 7-1980 §21; Ord. 3-1987 §2)

Sec. 13-1-210. Discontinuance of unlawful discharge of waste.

Any user discharging or permitting the discharge of unacceptable wastes into the public sanitary sewer system shall, upon notice of such violation from the Town, immediately cease and desist from such action and shall be subject to

immediate turn-off of any municipal water supply to the premises. If the municipal water supply is shut off, it shall not be turned on until the user has provided the Town with satisfactory evidence that he or she has halted such discharge of unacceptable wastes into the public sanitary sewer system. (Ord. 7-1980 §22; Ord. 2-2005 §1)

Sec. 13-1-220. Adoption of rules and regulations governing sewers.

The Board of Trustees shall make and enforce such rules and regulations as it may deem necessary for the safe, efficient and economical management of the Town sewer system. Such rules and regulations, when not in conflict with this Code or any other ordinances of the Town and laws of the State, shall have the same force and effect as ordinances of the Town. (Ord. 7-1980 §23)

Sec. 13-1-230. Violations; penalties.

Any person who violates the terms and conditions of this Article or of any rules and regulations adopted by the Board of Trustees as authorized by Section 13-1-220 hereof shall be deemed guilty of a misdemeanor and shall be punished in accordance with the provisions of Section 1-4-20 of this Code. (Ord. 7-1980 §24; Ord. 2-2005 §1)

ARTICLE II**Water Regulations****Sec. 13-2-10. Designation of Water Superintendent.**

Any reference in this Article to the "Water Superintendent" shall include the Town's Director of Public Works or other designated employee or officer of the Town having general responsibility for the operation and maintenance of the municipal water system. (Ord. 2-1987 §6; Ord. 2-2005 §1)

Sec. 13-2-20. Application for water service.

All persons who desire to use water from the municipal water system of the Town shall, before doing so, make written application to the Town Clerk and pay to the Town the tap fee in effect at the time of said application. Said application shall be made upon a form furnished by the Town Clerk and shall specify the name of the applicant, the location of the property to be served by the tap, the classification of the use of said property and the size and point of connection of said tap with the water main. (Ord. 4-1980 §1)

Sec. 13-2-30. Water rents, billing and collection.

All water rents, whether based on a flat rate or meter rate, shall be due and payable monthly, as may be determined from time to time by the Board of Trustees, upon receipt of a statement for said period. All water rents shall be payable at the office of the Town Clerk and, if not paid by the due date of the next monthly billing, shall become delinquent; and the water may be shut off by the Town without further notice to the water user, other than the provisions of this Section. Whenever the water has been shut off for nonpayment of water rental, the water service shall not be reinstated until all back water rents and penalties have been paid, together with a fee of fifty dollars (\$50.00) for the time and expense of shutting off and turning on the water. (Ord. 4-1980 §2; Ord. 2-2005 §1)

Sec. 13-2-40. Delinquent water rentals; lien against property.

In addition to all other remedies available to the Town, all unpaid water rentals and charges from and after the same become due shall be and become, and the same are hereby made, a lien in favor of the Town upon the premises and property upon which the water has been used and for

which the water rents and charges are delinquent. Said lien shall be superior to every other lien upon the subject property, excepting only the lien of general real estate taxes. Said lien may be foreclosed by an action brought in any court of competent jurisdiction on behalf of the Town and against every person having any right, title or interest in and to the subject premises in the same manner as the foreclosure of mortgages and other liens according to the laws of the State. The Town shall be entitled in such enforcement actions to recover, in addition to the delinquent water rentals, a penalty of five dollars (\$5.00), any water service reinstatement fee and any and all costs of such enforcement action, including reasonable attorney fees. (Ord. 4-1980 §3; Ord. 2-2005 §1)

Sec. 13-2-50. Liability for water rentals; regulations considered part of contract.

The owner of the property upon which water is used shall be held liable for the payment of rent for all water used thereon. The purchase of a water tap and connection with the municipal water system shall constitute a contract between the owner of the property served thereby and the Town and all regulations contained in this Article shall be considered a part of such contract and each and every owner of such property shall be deemed to have expressly consented to be bound thereby. (Ord. 4-1980 §4)

Sec. 13-2-60. Commencement of rental fees.

Water rental shall commence upon the installation of the user's tap or the expiration of sixty (60) days from the date of issuance of the tap, whichever occurs first. In the event the tap has not been installed within six (6) months from the date of issuance, the Town may, at its option, cancel the permit, whereupon it shall refund the tap fee to the purchaser. Any tap

which is temporarily shut off, on a seasonal basis or otherwise, shall continue to be subject to the minimum water rental charge as may be established by the Board of Trustees as provided hereinbelow. (Ord. 4-1980 §5)

Sec. 13-2-70. Classification of water users.

For the purposes of this Article, water users in the Town shall be classified in one of the following classifications.

(1) Residential. Where the water is used for ordinary residential purposes, including service of single-family or multi-family dwelling units, the use shall be classified as *residential*.

(2) Commercial; rural. Where the water is used for business or commercial purposes within the corporate limits of the Town or for any purpose outside the corporate limits of the Town, the use shall be classified as *commercial; rural*. (Ord. 4-1980 §6)

Sec. 13-2-80. Water rates.

Water rates shall continue as they are in force at the time of adoption of the ordinance codified herein, or as they may be amended, from time to time, by resolution of the Board of Trustees adopted at any regular or special meeting of the Board of Trustees, after the holding of at least one (1) public hearing thereon. (Ord. 4-1980 §7; Ord. 2-2005 §1)

Sec. 13-2-90. Water meters.

Meters shall be installed under the supervision of the Water Superintendent and subject to such regulations as may be imposed by the Board of Trustees from time to time. The agents of the Town shall have the right to place upon the premises of any water user a shutoff

box, meter or other device for the measurement, control or delivery of water at the expense of the water user, and may enter upon the premises of the water user for the purpose of inspecting, adjusting, maintaining, removing or in any way caring for and looking after such devices and to determine the amount of water consumed by the user. The water user shall at all times see that the meter is kept free from obstruction on and around the same and conveniently accessible during all business hours of the day for the purpose of reading, inspecting, maintaining or repairing the meter. In the event that any meter fails to register correctly for any month or is otherwise determined by the Water Superintendent to be working improperly, the same shall be repaired by employees of the Town (at the Town's expense, unless the meter has been damaged through the intentional or negligent act of the water user or a lessee or occupant of the premises served, in which case the water user shall be responsible for the expense of repair). A charge for the period of time for which said meter is not working properly shall be made according to the average amount during a similar period of not less than three (3) months when the meter was working properly. (Ord. 4-1980 §8; Ord. 2-1987 §§1, 2; Ord. 2-2005)

Sec. 13-2-100. Separate taps required.

No water user shall use or shall permit the owner or occupant of any other structure or premises to use water from his or her water tap for more than one (1) structure or premises, except by the purchase of an additional tap for each such additional use. The term *other structure or premises* shall include, without limitation, any additional dwelling, business building, mobile home, detached apartment or any other structure separate and apart from the primary

residence or business of the water user. Nothing herein shall prohibit the sale and purchase of a commercial tap for mobile home parks, recreational vehicle parks or similar uses for three (3) or more such structures, as may be approved by the Board of Trustees. Nor shall this provision prohibit a temporary connection with an existing water tap to serve a travel trailer or recreational vehicle by a connection to an exterior faucet or hydrant for a period not to exceed ninety (90) days in each calendar year. Any additional or multiple uses in existence as of or approved prior to the effective date of the ordinance codified herein may continue; provided, however, that such uses shall terminate upon discontinuation of the use and may be reestablished only upon the purchase of an additional tap as required hereinabove. When any property of a water user is subdivided, each dwelling unit or commercial structure located upon said property shall be served by a separate tap. (Ord. 4-1980 §9; Ord. 2-1987 §3; Ord. 2-2005 §1)

Sec. 13-2-110. Rural users served by common supply line.

When any three (3) or more rural water users are served by a common supply line from the municipal system, the Board of Trustees shall have the right, by resolution or motion, to require said users to install a master meter at or near the Town's water main as determined by the Water Superintendent. Water shall be measured through the master meter on a per-unit minimum basis plus the amount due for additional water used as specified hereinabove, and the Town shall have the authority to require said users to form a nonprofit pipe line company for the purpose of contracting with the Town for the supply of water to said users; provided that the installation of such master meter by any corporation shall be required only when the users have had sixty (60) days' prior notice of the passage of such resolution or motion making such requirement. (Ord. 4-1980 §10)

Sec. 13-2-120. Taps onto municipal main; service line.

All connections to the municipal water system (water taps) shall be made by employees of the Town, and the costs and expenses thereof shall be paid by the user in addition to the tap fee assessed pursuant to Section 13-2-140 below. The user shall be solely responsible for the maintenance and operation of his or her service line to the point of connection with the municipal water system. (Ord. 4-1980 §11; Ord. 2-1987 §4; Ord. 2-2005 §1)

Sec. 13-2-130. Tap transfer restrictions.

Each water tap shall be installed and used only upon the premises stated in the application for the tap and no assignment, conveyance or other transfer of any tap apart from such premises shall be binding upon the Town, without the prior consent of the Board of Trustees. All costs of relocating an existing water tap to any structure or premises other than the one for which it was originally issued shall be borne by the water user or his or her transferee. (Ord. 4-1980 §12; Ord. 2-1987 §5)

Sec. 13-2-140. Tap fees.

All water users desiring to connect with the municipal water system shall, at the time of making application as provided hereinabove, pay to the Town Clerk the tap fee set and determined by the Board of Trustees, by resolution, in effect at the time of such application. (Ord. 4-1980 §13)

Sec. 13-2-150. Waste of water prohibited.

No water user shall knowingly permit domestic water from the municipal water system to be wasted by excessive use, lack of reasonable care or failure to repair his or her pipeline system, or any part thereof. In the event that it is

found that any water user is permitting such waste or excessive use in any manner or in violation of any specific regulations adopted by the Board of Trustees, it shall be the duty of the Water Superintendent to give such water user ten (10) days' written notice requiring such water user to observe water regulations as a condition precedent to receiving further water from the municipal water system. In the event such water user fails, refuses or neglects to comply with said regulations within said period of time, it shall be the duty of the Water Superintendent to turn off the water to the premises. Water service shall be reinstated only upon the satisfactory showing to the Water Superintendent that the condition permitting such waste or excessive use has been remedied by the water user. Any such water user shall have the right to appeal the decision of the Water Superintendent to the Board of Trustees at its next regular or special meeting. (Ord. 4-1980 §14)

Sec. 13-2-160. Further regulations.

The Board of Trustees shall have the right to make such other or further reasonable regulations, including lawn and garden sprinkling regulations, as the Board of Trustees may, from time to time, determine and establish by resolution. The use of an open hose shall be prohibited at all times. (Ord. 4-1980 §15)

Sec. 13-2-170. Shut-off of water.

The Town shall have the right at any time, with due notice being given to affected water users when practicable, to shut off the water in mains for the purpose of making repairs or extensions, or for other reasonable purposes. (Ord. 4-1980 §16)

Sec. 13-2-180. Town not common carrier of water; rural users.

In furnishing water to persons and consumers outside of the corporate limits of the Town, it is expressly found by the Board of Trustees that

the Town is not acting as a common carrier of water or in any other way acting as a public utility. In providing water service to rural users, the Town assumes no obligation to guarantee either the quantity or quality of the water so furnished. The Town further reserves all of its claims, rights and priorities in and to the water so furnished, and said rural water users shall acquire no right, priority or claim in or to said water by the use of the same. (Ord. 4-1980 §17)

Sec. 13-2-190. In-Town users priority.

The Town hereby reserves the first priority to the use of its municipal water system for the inhabitants and water users located within the corporate limits of the Town and any additions thereto. In the event of an emergency or shortage of water, the Town hereby reserves the right to shut off service to rural areas or any part thereof, as it may in its discretion deem necessary for the protection of the Town and its inhabitants. The cutting off of said water supply for such contingency shall first apply to the tap last installed in point of time, and the Town shall thereupon continue to shut off the taps of out-of-Town users in reverse order of their installation until a sufficient number have been shut off to ensure an ample supply of water to the inhabitants and water users within the Town. (Ord. 4-1980 §18; Ord. 2-2005 §1)

Sec. 13-2-200. Violations; penalties.

Any person who tampers with any meter, appliance, water main or other appurtenance to the municipal water system, or who in any other manner violates any provision of this Article, shall be punished in accordance with the provisions of Section 1-4-20 of this Code. (Ord. 4-1980 §19; Ord. 2-2005 §1)