

**ORDINANCE NO. 6-2022**

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**TITLE 19, CHAPTER 4, SECTION 19-401**

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**ORDINANCE AMENDING SECTION 19-401 OF CHAPTER 4, TITLE 19 OF THE CODE OF THE TOWN OF MOORCROFT, WYOMING 1979 TO INCREASE MONTHLY SEWER SERVICE CHARGES ANNUALLY BY TWO PERCENT (2%) COMMENCING THE FIRST BILLING PERIOD IN JULY EACH YEAR; AND TO SET FEES BY RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MOORCROFT, CROOK COUNTY, WYOMING, that:**

**SECTION 1:** Section 19-401 of Chapter 4, Title 19 of the Code of the Town of Moorcroft, Wyoming 1979 shall be and the same hereby is amended to read in complete form as follows:

**"19-401 – SEWER SERVICE CHARGES-**

(a) Except as provided in section (e) herein below, there shall be a monthly Sewer Investment Fee charged for each residence and residential unit, building, structure, facility, travel trailer park, mobile home park space, and premise connected to the Town's municipal sewer system; and for travel trailer parks (as provided under Title 24 of this Code) in addition to the base Sewer Investment Fee there shall be an additional Sewer Investment Fee charged for each individual trailer space located in any travel trailer park which trailer space is connected to the Town's municipal sewer system, which fee shall be charged regardless of water usage at said trailer space and regardless of whether or not water service from the Town's municipal water system is shut-off, discontinued or terminated by the Town for any reason to the travel trailer park, including at the request of the sewer service customer or property owner. All such Sewer Investment investment fees shall be set by Resolution.

The Sewer Investment Fee and, as applicable, additional Sewer Investment Fee, shall be charged for each residence and residential unit, building, structure, facility, travel trailer park and travel trailer park space, mobile home park space, and premise connected to the Town's municipal sewer system regardless of water usage and regardless of whether or not water service is shut off, discontinued or terminated by the Town for any reason, including at the request of the sewer service customer or property owner; provided, however, the monthly Sewer Investment Fee and, as applicable, additional Sewer Investment Fee, shall not be charged for any

residence, residential unit, building, structure, facility, travel trailer park, travel trailer park space, mobile home park space or any premise where the Town's water meter has been removed by the Town and the water line has been plugged or capped by the Town at the request of the customer or property owner or as authorized under this Code. Once the water meter has been removed and the water line has been plugged or capped by the Town, the fee to reestablish and commence sewer service to any residence, residential unit, building, structure, facility, travel trailer park, mobile home park space or any premise from which the Town's water meter has been removed by the Town and the water line has been plugged or capped by the Town shall be the same amount(s) which would be required to initially establish sewer service thereto (including, but not limited to, tap/connection fees and costs notwithstanding the existing tap/connection). The above monthly Sewer Investment Fee shall be billed to the sewer service customer; provided, however, the owner(s) of the residence or residential unit, building, structure, facility, travel trailer park, mobile home park space, or premise connected to the Town's municipal sewer system shall be primarily liable for the payment of said monthly Sewer Investment Fee.

(b) In addition to the monthly Sewer Investment Fee provided in Subsection (a) above, the following sewer service charges shall be billed on a monthly basis:

(1) Non-Commercial Premises:

The term "non-commercial premises" as used in this section means churches, individual mobile homes in mobile home parks, single family residences and residences with less than three dwelling units. The monthly sewer charge for non-commercial premises shall be an amount as established by Resolution of the Town Council for each 1,000 gallons of water or any portion thereof up to 5,000 gallons of water delivered through the Town's municipal water system, based upon metered water delivered to the serviced premises. There shall be no additional sewer charge for water usage in excess of 5,000 gallons of metered water delivered to the serviced premises. The monthly sewer charges set forth in this Subsection shall automatically increase by two percent (2%) annually effective the first billing period in July each year commencing in July 2020. The monthly sewer charges set forth in this Subsection shall automatically increase by two percent (2%) annually effective the first billing period in July each year commencing in July 2020.

(2) Commercial Premises:

All premises that are not non-commercial premises as defined hereinabove shall be deemed to be commercial premises. The monthly sewer charge for commercial premises shall be an amount as established by Resolution of the Town Council for each 1,000 gallons of water or any portion thereof delivered through the Town's municipal water system, based upon metered water

delivered to the serviced premises. The monthly sewer charges set forth in this Subsection shall automatically increase by two percent (2%) annually effective the first billing period in July each year commencing in July, 2020.

Regardless of actual water usage, each Non-Commercial and Commercial Premise as defined hereinabove connected to the Town's sewer utility system shall be charged the monthly sewer charges as specified in Subsections (1) and (2) above; except, however, for any monthly billing period during which water service is shut off by the Town at the request of the water service customer (or owner), or otherwise, and there is no water usage during that entire billing period.

(c) If water usage cannot be determined because the source of the water is other than the Town and/or is unmetered or inaccurately metered, then a fair and equitable rate shall be established by resolution of the Governing Body of the Town based upon estimated wastewater discharge. Said rate may be increased or decreased at any time by resolution of the Governing Body. Said rate shall be in addition to the Sewer Investment Fee provided above in Subsection (a) of this Section. In the event existing sewer service is terminated at the request of the customer or property owner, or by the Town as authorized under this Code, to a premise which is not provided water service by the Town, the fee to reestablish and commence sewer service to the premise shall be the same amount(s) which would be required to initially establish sewer service thereto (including, but not limited to, tap/connection fees and costs notwithstanding the existing tap/connection)."

(d) All fees provided for herein shall be established annually by Resolution of the Town Council.

(e) Notwithstanding any provision herein to the contrary, those travel trailer parks and mobile home parks with multiple individual spaces, for which the Town has not installed water meters to each individual space, may be charged a flat rate Sewer Investment Fee and additional Sewer Investment Fee. Such flat rate fees shall be established by Resolution of the Town Council.

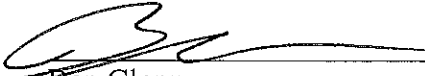
**SECTION 2:** This Ordinance shall become after passage and upon publication as provided by law, and all ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict.

Passed on first reading: August 8<sup>th</sup>, 2022.


Passed on second reading: August 22<sup>nd</sup>, 2022.

PASSED, APPROVED AND ADOPTED on third reading this 12th day of September 2022.

**TOWN OF MOORCROFT:**


  
Ben Glenn

ATTEST:

  
Cheryl Schneider  
Clerk/Treasurer

**CERTIFICATE OF PUBLICATION**

I, Cheryl Schneider, Clerk/Treasurer of the Town of Moorcroft, Wyoming, hereby certify that Ordinance No. 6-2022 was published in the Moorcroft Leader, Moorcroft, Wyoming on this 15<sup>th</sup> day of September 2022.

  
Cheryl Schneider  
Town Clerk/Treasurer