

ORDINANCE 3, 2025

AN ORDINANCE COMBINING TITLES 18, 19, AND 25, AMENDING, RESTATING AND REPLACING THEM IN TITLE 18 OF THE TOWN OF MOORCROFT CODE

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MOORCROFT, WYOMING THAT TITLES 18 GARBAGE AND REFUSE, TITLE 19 SEWER AND SEWAGE DISPOSAL, TITLE 25 WATER AND ELECTRICITY ARE HEREBY REPEALED AND RESTATED IN THEIR ENTIRETY AND PLACED INTO TITLE 18 RENAMED AS UTILITIES AS FOLLOWS:

CHAPTER 1 GENERAL PROVISIONS

18-101 DEFINITIONS

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

Billed Premises: Means the house, building, structure or facility to which utility service is furnished by the Town.

Can: When used as a noun and not as a verb, means the sturdy solid walled barrel-type receptacle with an attached tight-fitting lid furnished to the customer by the Town which conforms to the specifications and requirements of the Town public works Director, or his designee, in which garbage may be deposited pending collection by the Town. Cans may be of various capacities. Cans are the property of the Town and remain the property of the Town while being used by the customer.

Customer: A person(s) or entity receiving utility service from the Town, whether such service is provided inside or outside the municipal boundaries of the Town.

Debris, Refuse, Rubbish, Junk and Waste Matter: Whether such terms are used individually or collectively, shall have their commonly understood definitions and meanings, and shall include "garbage" as defined in this Section and such other items, materials, liquids or things which the Town will not accept for collection and/or disposal at the Town sanitary landfill but which are commonly understood to be debris, refuse, rubbish, junk and/or waste matter.

Easements: An acquired legal right for the specific use of the land owned by others.

Investment Fees: Monthly fees charged to each billed premises. Funds are placed into reserve accounts for water and sewer services, to provide for future repairs and or upgrades to the water and sewer infrastructure of the Town of Moorcroft.

Residence: The term "residence", as used in this title shall mean living quarters of less than three units.

Potable water: Means water fit for human consumption as determined by applicable state and federal rules, regulations and standards.

Potable water facilities: When required in houses, buildings, structures and facilities in Town used for human occupancy, employment, recreation, business or other purposes means faucets, spigots and other valves and appurtenances with running water.

Public sewer: Means the underground municipal main pipelines owned and operated by the Town and used by the Town to collect wastewater from houses, buildings, structures and facilities used for human occupancy, employment, business, recreation or other purposes, and transport said wastewater to the Town's wastewater treatment facility. The term "public sewer" owned and operated by Town and used by the Town to control drainage of groundwater, surface water and stormwater.

Public water main: Means the underground municipal main pipelines owned and operated by the Town and used by the Town to transport potable water to houses, buildings, structures and facilities from the Town's water utility.

Public way: Means any street, roadway, alley or utility easement/right-of-way owned by the Town or dedicated to public use within the Town.

Sanitary facilities: When required in houses, buildings, structures and facilities in Town used for human occupancy, employment, recreation, business or other purposes means toilets and sinks with running water commonly associated with restrooms.

Service Location: The property, place or premise from which garbage is collected by the Town for a customer, such as a residence, business or public facility. An individual customer may receive garbage collection service from the Town at multiple separate service locations. For example, each mobile home space receiving separate and individual garbage collection service in a mobile home park would be a service location, even if all of the charges for collection from each service location (mobile home space) were billed by the Town to a single customer, such as the owner/landlord of the mobile home park. However, in contrast, if separate and individual garbage collection service was not provided to each space in a mobile home park, but rather a large capacity can(s) was provided by the owner/landlord of the mobile home park for the collective use by the tenants, then the mobile home park would be the service location (as opposed to each space therein).

Sewer service line: The sewer line running from the municipal sewer main to the structure or property to be serviced.

Sewer utility: All sanitary sewers, sewage treatment works, equipment, materials and supplies used by the municipality to collect and dispose of sewage from property in the municipality and property served by municipal sewers outside the municipality; provided, that a sewer service line shall be regarded as the property of the owner of such structure or property served.

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

Town Sanitary Landfill: The sanitary landfill operated by the Town, and which is located in: Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ all in Section 30, Township 50 North, Range 66 West of the 6th P.M., Crook County, Wyoming.

Wastewater: Means the spent water of the Town. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial building, industrial plants, institutions and other buildings, structures and facilities used for human occupancy, employment, business, recreation, or other purposes, together with any groundwater, surface water and stormwater that may be present.

Water service line: The line running from the Town water main to the structure or property to be served.

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

18-102 NEW CUSTOMERS

(a) New Town of Moorcroft Utility customers will be required to complete the following prior to service starting:

(1) Utility service connection application

(2) Photo Identification Card

(3) A utilities deposit which fee shall be set by Resolution and kept on file in the Town Clerk's Office.

(b) No person may be served with utilities unless he agrees to all the rules and regulations of the Town of Moorcroft pertaining to the use of such utilities.

18-103 BILLING PROCEDURE; DELINQUENCY; COLLECTION

- (a) All customers receiving utilities from the Town, whether furnished within the limits of the Town or not, shall promptly pay for such service at the time and in the manner set out, in compliance with the provisions of this Title.
- (b) When any of the dates for payment, mailing of notice, or discontinuance of service shall fall on a Saturday, Sunday, or legal holiday, the date shall be the next (prior)?? business day.
- (c) All bills or statements rendered by the Town for utilities, mailed before the last day of any month, shall be due and payable on or before the 15th day of the next month.
- (d) Any bill or statement rendered by the Town in accordance with the applicable provisions of this Title for utility service that remains unpaid, in full or in part, after the due date thereof as provided in this Title shall be deemed to be delinquent.
- (e) Late fees shall be assessed if payment is not received by the 5th business day following the 15th, day of the month the payment is due. Such fees shall be set by Resolution kept on file in the Town Clerks Office.
- (f) When any bill or statement for utilities becomes delinquent and has not been paid in full on or before the 5th business day after the 15th of the month the bill was due, the Town shall, on or about the 6th business day after the 15th of the month the bill was due, send notice by ordinary mail, to the customer whose bill is delinquent, at their address appearing in the Town records, containing a demand for payment of all amounts for all delinquent utilities, and notifying the customer whose bill is delinquent that if the delinquent amount is not paid in full on or before the last day of the month or in the case of weekend or legal holiday the prior business day, utilities furnished by the Town to such customer will be subject to discontinuance by the Town.
- (g) If the delinquent account of the customer remains unpaid after the last day of the month in which notice was sent in accordance with subsection (f) of this Section, the Town shall immediately cause utilities furnished through the Town to be discontinued to the billed premises. Any and all costs or expenses incurred by the Town in discontinuing utilities to the billed premises shall be added to the bill for service due to the Town. If the billed premises is receiving sewer service from the Town is supplied with water from a source other than the Town's municipal water system, such as from a private well or otherwise, the Town shall immediately cause sewer service furnished through the facilities of the Town to be discontinued to the billed premises by removing, modifying, shutting off, disconnecting or otherwise in a manner the Town shall deem expedient. Any and all costs or expenses incurred by the Town in discontinuing sewer service shall be added to the bill for service due the Town. In addition to discontinuance of water and/or sewer service under the provisions of this subsection, the Town shall discontinue garbage collection service furnished through the Town to the billed premises.

(h) Once utilities furnished to a billed premises by the Town are discontinued due to delinquency in payment of applicable utility charges as provided in this Section, such service(s) shall not be restored to the billed premises until and unless all charges for all such service(s) furnished to the billed premises are paid in full and current, together with disconnect and reconnect fees, any and all costs and expenses incurred by the Town in discontinuing utilities to the billed premises as provided in this Section, and together with the payment of any deposit(s) required to be paid pursuant to the provisions of this Code for the commencement or recommencement of such service(s).

(i) Personal checks, shall be conditionally accepted by the Town as payment for utilities, at the discretion of the Town Clerk, and in the event the personal check is returned by the bank or other financial institution drawn on, or for any other reason, not the fault of the Town, is not promptly paid or credited to the Town, said payment shall be declared void for the purposes of this Title, and said bill or statement shall be considered delinquent unless acceptable payment is tendered and accepted before the date when such bill would become delinquent.

(j) It is expressly provided that the remedies for collection of delinquent bills for utilities as provided in this Section are not exclusive, and do not in any way alter, waive, delay or abridge the right of the Town to bring suit in any court of competent jurisdiction for the collection of any bills, amounts, accounts, or other obligations due and owing the Town."

18-104 NEW CONNECTIONS

(a) All new connections to the water and sewer utilities shall be charged the following:

- (1) A tap fee
- (2) A water and sewer Investment Fee
- (3) A deposit

(b) All fees required to connect to Town utilities shall be set by Resolution and kept on file in the Town Clerk's Office.

18-105 INVESTMENT FEES

(a) There shall be a water and or sewer investment fee per monthly billing period, 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 water and or 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 utility customer or property owner.

- (1) The above monthly investment fee(s) 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 water 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 utility customer or property owner. The above monthly fee(s) shall be billed to the customer; provided, however, the owner(s) of the residence or residential unit, building, structure, facility, mobile home park space, or premise connected to the Town's municipal utility system shall be primarily liable for the payment of said monthly investment fee.

(b) Investment fees can be waived if the customer chooses to relinquish the meter to the Town of Moorcroft. If the customer chooses to reinstate the utility service, the customer will be required to pay the tap fees.

18-106 UTILITY USEAGE BILLING RESIDENTIAL

(a) Regardless of actual usage, each residence and residential unit, building, structure, facility, travel trailer park, mobile home park space, and premise connected to the Town's municipal utility system shall be charged the Base Rate plus an additional fee which shall be set by Resolution for each 1,000 gallons or any portion thereof of water usage in excess of 10,000 gallons for each monthly billing period; except, however, for any monthly billing period during which water service is shut off by the Town at the request of the utility customer (or owner), or otherwise, and there is no water usage during that entire billing period.

(b) For travel trailer parks as provided under Title 24 of this Code in addition to the base investment fees in the monthly billing period as set by Resolution, there shall be an additional investment fee charged for each trailer space located in the travel trailer park which trailer space is connected to the Town's municipal water utility system, which fee shall be charged regardless of utility usage at said trailer space and regardless of whether or not utility service from the Town's municipal utility system is shut-off, discontinued or terminated by the Town for any reason to the travel trailer park, including at the request of the customer or property owner. Utilities shall be charged a rate per gallon set by Resolution kept on file in the Town Clerks Office.

(c) UTILITY USEAGE BILLING COMMERCIAL ???

18-107 DISCONTINUANCE FOR VACANCY / FAILURE TO COMPLY WITH REGULATIONS

(a) Should the customer desire to discontinue the use of utilities temporarily, or should the billed premises become vacant, the Town when notified to do so in writing, will stop utilities at the billed premises and an allowance will be made on the bill for such time as the utilities are not in use. No deduction in bills will be made for the time any service pipes may be frozen. Investment fees shall continue to be billed to the monthly utility bill.

(b) If any utility user fails to comply with the provisions of this Title, other ordinances or rules and regulations of the Town of Moorcroft or used the utility for a purpose not authorized or in a wasteful manner, the Town of Moorcroft may discontinue utility service until the utility user is in compliance and has paid any costs incurred because of his non-compliance.

18-108 COMPUTATION WHERE METER DEFECTIVE OR CANNOT BE READ

(a) Where a meter is broken or defective or for any reason does not correctly measure and record all the water used on any premises in any one quarter or where the proper town employee is unable to enter and read the meter after two attempts to read the meter, the charge for water used on such premises during that quarter shall be as stated in section 25-408 of this Title.

18-109 REDUCED RATES

(a) Any utility customer receiving service to his or her residence who meets all of the following requirements shall receive a 50% reduction from the utility rates (but not the investment fees) specified in subsection 18-105(a) above for utilities provided to the customer's primary residence:

(1) Be 65 years of age or older or be certified as totally disabled by the United States Social Security Administration, United States Veterans Administration, or other governmental agency; and

(2) Present evidence showing that the customer's household gross income was less than 225% of the Federal Poverty guideline for one person or for two persons if the household has more than one person, for the year immediately prior to the one in which the customer seeks to claim the water rate reductions provided in this subsection. For the purposes of this subsection, gross income does include the aggregate of the total earnings of minor children under the age of 18; and

(3) Be the owner or co-owner or lessee or co-lessee of the premises to which water service is provided and show that the customer is the sole source of support of the individuals constituting the household subject to the qualifications of subsection (a)(2) above, with the term 'household' meaning a group of individuals who regularly reside together in the premises receiving the water utility service; and

(4) Submit the information required in this subsection to the Clerk/Treasurer of the Town in January of each calendar year for certification of the customer's eligibility as a senior citizen or disabled person for purposes of the rate reduction provided in this subsection for the remainder of that calendar year. The income limit shall be updated each January when the Federal Poverty guidelines are established and shall apply for that calendar year, and the rate reduction provided for herein shall be reviewed each subsequent January.

(b) Any customer who has been denied a reduction in utility rates under this subsection may file an appeal to the Town Council for their consideration of his/her request, provided the appeal is filed in writing with the Clerk/Treasurer of the Town, setting forth the basis for reconsideration, with all supporting material to support the customer's claim of eligibility, within ten calendar days from the date the customer received notice of the denial of his/her request. Upon the receipt of a properly filed appeal, the Town Council shall review the original application of the utility customer, the Town public file on the application, if any, and any other material the customer may file with his/her appeal and shall render their decision within 30 days of the receipt of the appeal. The Town Council may waive the income requirements in subsection (a)(2) for a customer who is 65 years of age or older whose household gross income exceeded the maximum allowed in the past year, but who has thereafter become disabled, and whose household gross income is currently less than the maximum allowable limit in the present year; or for a customer who is under 65 years of age whose household gross income exceeded the maximum allowed in the past year, but who has thereafter become totally disabled and whose total disability is certified by the United States Social Security Administration, United States Veterans Administration or other governmental agency, and whose household gross income is currently less than the maximum allowable limit in the present year.

18-110 PROMULGATION OF RULES AND REGULATIONS BY TOWN COUNCIL

(a) The Town Council may, from time to time, promulgate such rules and regulations as considered necessary to carry out the intent of this Title, provided that such rules and regulations are not inconsistent with this Title.

18-111 RECORDS AND REPORTS OF UTILITIES

(a) The Public Works Director shall keep such records and prepare such reports concerning the utilities as the Town Council directs. The Public Works Director shall keep the Town Council advised of the operations and future needs of the utilities and shall prepare and submit to the Town Council, each month, a report covering the activities of the utilities, including testing results for each utility to ensure compliance with DEQ and EPA regulations.

(b) The Town Clerk shall keep records and reports as directed by the Town Council such as financial conditions and a statement of revenues and expenditures each month.

18-112 DAMAGING UTILITY'S PROPERTY, EQUIPMENT, ETC.

- (a) No person shall in any way damage any property, equipment or appliance constituting or being a part of the utilities.
- (b) No person shall cast, place, dump or deposit in any of the water or sewer utilities, any substance or material which will in any manner, injure or obstruct them or any material or substance that would tend to contaminate or pollute the water or obstruct the flow of water or sewer.
- (c) No person shall trespass upon the property of the water or sewer utility or tap any water or sewer mains or make any connections in any manner that interfere with the water or sewer utility or the property, equipment, pipes, valves or any other appliances of the water or sewer utility or change or alter the position of any valve or appliance regulating the flow of water or sewer in any pipeline.

18-113 EXTENSION OUTSIDE CORPORATE LIMITS-AUTHORITY OF TOWN COUNCIL

- (a) The Town Council may in its sole discretion enter into agreements with customers whose lands lie outside the corporate limits, to extend the Town's utility services for the use, needs and requirements of such customers.
- (b) Before the Town Council shall enter into any agreement to extent the Town's utility services outside the corporate limits, it shall find that:
 - (1) The extension of utility service is economically feasible.
 - (2) The property to be served is readily adaptable to and can be made to conform, within a reasonable time to be fixed by the Town Council, to the then existing ordinances, which relate to subdivision, platting, zoning and construction of improvements.
 - (3) The extension of utility service to the property is economically feasible and can be accomplished within a reasonable time to be fixed by the Town Council.
 - (4) The area, within which the property to be served lies, can be reasonably expected to be annexed to the Town of Moorcroft within the foreseeable future.
 - (5) Such extension would help promote the orderly, growth and development of the Town of Moorcroft.
 - (6) Such extension would help promote the health, safety and welfare of the citizens of the Town of Moorcroft.

(7) Such extension would help promote ecological and aesthetic consideration in the growth and development of the Town of Moorcroft.

(8) Such extension is generally in the best interests of the citizens of the Town of Moorcroft.

18-114 EXTENSION TO MORE THAN ONE PROPERTY PROHIBITED

(a) Each property shall be served by its own service line, and no connection with the water or sewer utility shall be made by extending the service line from one property to another property. In cases where service lines were extended from one property to a different property prior to adoption of this section, the continued use of such extension shall be permitted until replacement is necessary, at which time separate connection shall be made to the water main at the expense of the owner of the property served by such extension and the extended service line shall be discontinued; provided, that this section shall not be construed as prohibiting a single service line to serve a single structure under one roof occupying more than one property.

18-115 INSTALLATION REQUIRED PRIOR TO PAVING STREETS

(a) Before any street containing a water and or sewer utility line is paved, the owners of the property abutting upon the street shall, at their expense, install all service lines with meter vaults and meter risers which the Town of Moorcroft determines to be necessary to serve the property when fully developed, or, will be charged the full cost of materials and labor to repair the street if such tap is not installed prior to paving.

CHAPTER 2

WATER UTILITIES

18-201 RESERVATION OF RIGHTS BY TOWN OF MOORCROFT

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

18-202 ONLY TOWN OF MOORCROFT EMPLOYEES ALLOWED TO TURN ON WATER TO PREMISES; EXCEPTION; SPECIAL SERVICE CHARGES-

(a) No person, other than a duly employed person of the Town of Moorcroft, shall turn on water to any premises, lot, building or house when the water has been shut off under the provisions of this Chapter; provided, that this section shall not be construed to prevent any plumber from admitting water to test pipes or restoring service after repairs. Any person requesting that the Town's public works department connect, disconnect, turn-on or turn-off municipal water service to any premise, lot, building, structure or residence at any time in which the Town's administrative office is not open for public business, or before 8:00 A.M. or after 4:00 P.M. on days when the Town's administrative office is open for business, shall be charged a service which shall be set by Resolution.

18-203 USE OF TOWN WATER SERVICE REQUIRED; EXCEPTIONS; PENALTY-

(a) Except as provided in subsection (b) of this Section, the owner(s) of any house, building, structure, or facility within the Town used for human occupancy, employment, business, recreation or other purposes shall, at the expense of the owner(s), install therein or thereon suitable facilities for the distribution of potable water therein or thereon. If said house, building, structure or facility is located on real property which abuts any public way in which there is located a public water main or which adjoins another public way in which there is located a public water main, the owner(s) shall connect said potable water facilities directly with the public water main in accordance with the applicable provisions of this Title no later than ninety days after date of notice to do so; provided, however, that said public water main is within three hundred feet (along a public way) of the boundary of the real property upon which the said house, building, structure or facility is located. If said house, building, structure or facility does not abut on a public way, or if it abuts on a public way but a public water main is not located within three hundred feet (along a public way) of the boundary of the real property upon which the said house, building, structure or facility is located, then the owner(s) may connect said potable water facilities to a private water supply system upon the following conditions:

- (1) If the owner(s) desire to drill a private water well to supply potable water, the owner(s) shall first obtain any and all necessary state and federal (if any) permits therefore. Prior to commencement of drilling, the owner(s) shall also obtain a permit from the Town for the drilling of the water well by filing with the Town exact copies of the state and federal (if any) permits issued to the owner(s), and furnishing the Town with such plans, specifications and other information as is deemed necessary by the Town.
 - (2) If the owner(s) desire to connect onto an existing private water well to supply potable water, the owner(s) shall obtain a permit from the Town to do so by furnishing the Town with such plans, specifications and other information as is deemed necessary by the Town.
 - (3) If the owner(s) desire to connect onto any other type of private system to supply potable water, such as delivered water stored in a holding tank, the owner(s) shall obtain a permit from the Town to do so by furnishing the Town with such plans, specifications and other information as is deemed necessary by the Town.
 - (4) The owner(s) shall at all times operate and maintain their private water supply system in a clean and sanitary manner, and shall not allow or permit excessive leakage therefrom.
 - (5) If at any time the real property on which is located a house, building, structure or facility serviced by a private water supply system should abut a private way, and there should be a public water main located within three hundred feet (along a public way) of the boundary of the real property upon which is located said house, building, structure or facility, the owner(s) thereof shall connect the potable water facilities of said house, building, structure or facility directly to the public water main in accordance with the applicable provisions of this Title and shall completely disconnect any private water supply system line(s) from any line(s) connected onto any public water main so as not to allow or permit any cross-connections between the same no later than ninety days after date of notice to do so.
- (b) The provisions of subsection (a) of this Section do not apply to private water supply systems in place and in use prior to January 1, 2000.
- (c) Except as otherwise provided in this Section, no person shall connect the potable water facilities of any house, building, structure or facility used for human occupancy, employment, business, recreation or other purposes to a private water supply system.
- (e) Violation of any provision or failure to comply with any requirement set forth in subsections (a), (c) of this Section constitutes a misdemeanor and shall be punishable by a fine of up to seven hundred fifty dollars."

18-204 PERMIT-REQUIRED

(a) Any person desiring to make a connection to the water utility or to use water therefrom, shall make a written application to the Town Clerk for a permit to do so and shall not make such connection without such permit.

(b) The application for a permit to make connection to the water utility shall state the name of the person to whom the permit is to be issued, the size of the tap, corporation valve and water service line, the location thereof, the premises upon which water is to be used and the purpose for which the water is to be used.

(c) Permits issued by the Town Clerk shall state the name of the person to whom the permit is issued, the date of the permit, the size of the tap, corporation valve and water service line, the premises upon which the water is to be used and the purpose for which the water is to be used.

18-205 CONTRACTOR OR BUILDERS MUST TAKE OUT PERMIT FOR NEW CONSTRUCTION

(a) Contractors, builders or owners are required to take out a permit for use of water for building and other purposes in construction work. Consumers are warned not to allow contractors to use their fixtures unless they produce a permit specifying the premises on which the water is to be used. Water will not be turned on at any new building until all water used during construction has been paid for. Permits shall be obtained from the Town Clerk with a charge assessed as may be determined by the Town Council.

18-206 UNAUTHORIZED TAPS; COMPLIANCE WITH PERMIT; COST

(a) It shall be unlawful for any person not authorized by the Town Clerk to tap or connect to any part of the water utility.

(b) All taps or connections shall be made in accordance with the terms and conditions of the permit issued.

(c) All taps or connections to any part of the water utility shall be made at the expense of the person making such tap or connection.

(d) All lines from the main line laid by the Town of Moorcroft shall be installed and maintained solely at the expense of the consumer.

18-207 PAYMENT OF CHARGES

(a) In all cases where a charge is provided by law for making a connection to the water utility, the amount of the charge shall be tendered to the Town of Moorcroft when the application for the connection permit is made.

18-208 ALL PLUMBING TO BE INSPECTED AND APPROVED

(a) All plumbing shall be subject to inspection by the Plumbing Inspector or his authorized representatives in order to ascertain whether the requirements of this chapter have been or are being complied with. It shall be unlawful for any person to cause any plumbing within or outside the Town limits to be connected with the water utility of the Town of Moorcroft until such plumbing shall have been inspected and approved and a certificate or tag of approval issued by the Town of Moorcroft.

18-209 INSTALLATION-TO BE BY LICENSED PLUMBER; WRITTEN PERMISSION PREREQUISITE

(a) No person other than a plumber licensed by the Town of Moorcroft or a person authorized by the Public Works Director shall install a water service line, including a meter vault and a meter riser.

(b) No service lines shall be installed without having first obtained permission from the Town of Moorcroft.

18-210 INSTALLATION COSTS GENERALLY

Any service line from a main to a structure to be served shall be installed by the water user at his expense.

18-211 MATERIAL SPECIFICATIONS

(a) All service lines shall be of copper, cast iron or other suitable material as determined by the water utility. Corporation valves, water risers and service lines shall be of the size as specified by the Town of Moorcroft. Curb stops as specified by the Town of Moorcroft, buried five and one-half feet shall be used, and minimum curb box top sections shall be one and one-half inch in diameter.

18-212 MINIMUM SIZE

(a) The water service line from the street main to the water distribution system of the building to be served with water shall be of sufficient size to furnish an adequate flow of water to meet the requirements of the building at peak demand and in no event shall it be less than three-fourths inch nominal diameter.

18-213 REQUIRED DEPTH

(a) All service lines shall be laid five feet below the established grade of the street from the water main to the meter vault. When the main is of greater or less depth, the service line shall be brought to the required depth as soon as possible after leaving the tap.

18-214 REPLACEMENT WHERE MATERIALS UNSUITABLE

(a) Service lines made of materials other than cast-iron or copper shall be replaced by copper or cast-iron lines or suitable materials when, in the opinion of the Public Works Director, such lines have become so disintegrated as to be unfit for further use. The water utility shall assume the cost of replacement of the service line between the main and the curb stop and property owner shall assume the cost of the replacement of the water service line between the curb stop and the distribution system of the building served. When such lines have been replaced with copper or cast-iron lines as set forth in this article, the water utility shall assume the maintenance of the service line between the water main and the curb stop or meter riser.

18-215 APPROVAL OF REPLACEMENT SERVICES

(a) New services to replace existing services shall not be approved by the Town and the water turned on until old service lines are dug up and the corporation valve shut off at the main.

18-216 MAINTENANCE

(a) The owner of any property connecting to the water utility shall be responsible for the maintenance of the water service line from the curb stop or meter riser to the structure being served and shall keep this line in good condition at his expense. He shall, at his expense, at all times keep all pipes, fixtures and appliances on his property tight and in good working order so as to prevent waste of water.

18-217 DISCONNECTING SERVICE FROM PREMISES

(a) When a water user desires to disconnect his premises from the water utility, he shall not be permitted to take up that portion of the service line between the main and the curb stop or meter vault, nor shall be permitted to take up the meter vault, but, at his expense, the water shall be shut off at the corporation valve and all appliances from the water main to and including the meter vault shall remain in the ground and become the property of the Town of Moorcroft.

18-218 LOCATION OF SHUT OFF VALVE

(a) At some convenient point inside of the building as so located that it cannot freeze, a stop and waste valve must be placed, so that the water can be readily shut off from the building and the water pipes drained to prevent freezing.

18-219 STOP TO BE NEAR CURB

(a) Service pipes will be so arranged that the supply of each separate consumer may be controlled by a separate curb stop, placed within or near the line of the street curb.

18-220 COSTS

(a) All water meters shall be furnished by the water utility. Newly constructed homes and businesses shall pay the cost of the water meter (which will be charged at the rate the Town has to purchase them for) tap fee and investment fee. The installation and labor is included in the tap fee. The water utilities shall replace all water meters due to no fault to the user, with no cost to the user. If the meter has to be replaced due to neglect or abuse by the user, see Title 25-405. The Town shall retain ownership of all meters.

18-221 TESTING, APPROVAL AND ADJUSTMENT PRIOR TO INSTALLATION

(a) Each water meter shall be tested by the Town of Moorcroft and shall be found to be correct and properly adjusted before being installed.

18-222 FROSTPROOF VAULTS REQUIRED

(a) All meter installations shall be in a frost proof vault at a location specified by the Town of Moorcroft. Meters not installed in a frost proof vault as of the date of adoption of this section, shall be replaced with a meter installed in a frost proof vault at a location specified by the Public Works Director upon request of the property owner or when it is necessary to replace all or any part of the water service line.

18-223 COSTS FOR FROSTPROOF VAULTS, RISERS, ETC.

The frost proof vault, riser and necessary appurtenances shall be furnished by the Town of Moorcroft and the Town's actual cost of these materials shall be paid by the property owner upon obtaining the applicable permit in section 25-204; provided, that when Town employees install a frost proof vault, riser and appurtenances, in connection with replacement of the water service line between the main and curb stop, a permit shall not be required but the applicable charge shall be paid by the property owner.

18-224 MAINTENANCE AND TESTING

(a) All water meters shall be maintained by the water utility and shall be tested and repaired as necessary not less than at least once in each ten (10) year period. The cost of repairs resulting from neglect or abuse by the water user, and the cost of repairing damaged meters as the result of freezing, shall be paid by the user and added to and considered a part of the charge of water service. Meter users are specifically required to drain meters if the user desires to prevent freezing damage and the failure of a meter user to do so shall result in the meter user being charged for replacement of the water meter.

18-225 TAMPERING, INTERFERING, DAMAGING METERS

(a) It shall be unlawful for any meter user under meter rates set forth in this Title or for any other person to tamper or interfere with any meter or meter seal or to so arrange his water service or piping so that the user of water will not actuate the meter.

(b) Customers are not permitted to interfere in any way with the meter after it is set in place. In case the meter seal is broken or the working part of the meter damaged, the department may render a bill for the current month based on an average of the last two months, together with the full cost of such damage as has been done to the meter and may refuse to furnish water until account is paid in full.

18-226 REPLACEMENT OF METER-FASTENING-COST

(a) The Water Department may replace any meter at such time as it may see fit and shall be the judge of the size and make of any meter installed. In case of a dispute as to the accuracy of a meter, the consumer, upon depositing the estimated cost of making a test may demand that the meter be removed, and tested as to its accuracy, in his presence. In case the meter is found to be registering accurately within two percent, or in favor of the consumer, the cost for such testing and replacing the meter shall be borne by the consumer. In case the meter is found to be recording incorrectly and against the consumer more than 2% the amount deposited by the consumer will be refunded and a reasonable adjustment made for the overcharges for a period of not exceeding sixty (60) days, previous to the demand of the consumer for a test to be made.

18-227 STOPPED METER-AVERAGE AMOUNT WILL BE USED AS BASIS

(a) In case a meter is found stopped for any reason, so that it is not correctly recording the consumption of water, the Water Department may average the amount due for the current month, using the past two months as a basis of such average.

18-228 SHUTTING WATER OFF FROM STREET MAINS TO MAKE CONNECTIONS, EXTENSIONS, ETC.

(a) Water may be shut off from any street main when necessary to repair the main or to make any connections or extensions of the water mains or to perform any other work necessary to maintain the water utility.

18-229 MINIMUM SIZE

(a) The size of the main required to serve any part of the Town shall be determined by the Town of Moorcroft. No main less than six inches in diameter shall be placed in the water distribution system.

18-230 APPORTIONMENT OF COSTS FOR EXTENSIONS

(a) When water mains are extended, the property owners benefited thereby, as determined by the Town of Moorcroft shall pay all costs of such extension for mains eight inches or less in diameter together with necessary valves, hydrants and other appurtenances. For mains over eight inches in diameter, when required by the municipality, the water utility shall pay the following percentages of the total costs of the extension of such mains:

- (1) For ten-inch mains, thirty percent.
- (2) For twelve-inch mains, forty percent.
- (3) For fourteen-inch mains, fifty percent.
- (4) For sixteen-inch mains, sixty-five percent.

18-231 FINANCING EXTENSIONS TO PROPERTY NOT PART OF NEW SUBDIVISION

(a) Extension of water lines to serve property within the Town of Moorcroft, but not a part of a new subdivision, shall be financed by special assessment against the benefited property or under such terms and conditions as the Town Council shall provide by resolution.

(b) Assessments against the benefited property shall not exceed the actual cost of the extension, plus engineering and administrative costs.

18-232 EXTENSIONS OUTSIDE TOWN OF MOORCROFT TO SERVE PROPERTY WITHIN THE TOWN OF MOORCROFT

(a) No water main shall be extended outside the municipal limits to serve property within the municipality (across islands or between peninsulas) except upon the express consent of the governing body under such terms as may be defined by ordinance.

18-233 NEW SUBDIVISION INSTALLATION

(a) The subdivider shall install the mains in his subdivision by private contract, subject to approval of the plans and specifications by the Town of Moorcroft, execution of the extension contract provided in this division and Town inspection of actual construction; provided, that the Town of Moorcroft may elect to install the mains, in which case the subdivider shall deposit with the Town of Moorcroft the estimated cost of installing the mains, plus engineering and administrative costs, and the Town of Moorcroft may then proceed to make the installation by contract with a private contractor. In the event that the original deposit the balance required with the Town of Moorcroft to complete the work.

18-234 NEW SUBDIVISION INSTALLATION COSTS

(a) All water mains required to serve a platted subdivision, including cross-connecting mains, shall be installed at the cost of the subdivider. The subdivider shall install mains to the farthest points of his subdivision.

18-235 WATER MAIN EXTENSION CONTRACTS

(a) For all water main extensions made to serve any subdivision or are platted after the date of adoption of this section, the subdivider or owner shall enter into a water main extension contract with the Town of Moorcroft.

18-236 EXPENSES OF EXTENDING SERVICE AROUND OR THROUGH VACANT PROPERTY

When a subdivider finds it necessary to bring water service from the existing water system through vacant property to his platted subdivision, the subdivider shall pay the entire costs of the original construction. At the time of annexation or as the property abutting such water main is developed and connections are made to the water main, the Town of Moorcroft may collect a charge per front foot based upon the original construction cost and if so, collected shall reimburse the original subdivider to the extent of the collection so made. In no event shall the actual amount paid to the subdivider by the Town of Moorcroft exceed the original cost of the extension.

18-237 PERIOD OF SUBDIVIDER'S REIMBURSEMENT RIGHTS UNDER WATER MAIN EXTENSION CONTRACTS

(a) The subdivider's right to reimbursement under a water main extension contract shall in no event exceed a period of fifteen years from the date of the execution of such contract and all payments shall cease at that time regardless of the amount that has at that time been received by the subdivider.

18-238 CONNECTING LOOPS AND CROSSTIES

(a) Connecting loops and crossties within a subdivision shall be constructed by the subdivider. If the connecting loop is such that property outside the subdivision abuts such loop or ties, and connections are made to such line, the reimbursement provisions of section 25-509 and 25-510 shall apply. Connecting loops, in the nature of a general improvement of the water system, shall be financed by the water utility. Before any abutting property shall connect to such mains constructed at the expense of the water utility, the charge based on the front footage of the property to be served shall be collected by the Town of Moorcroft.

18-239 ADDITIONAL WATER PUMPING STATIONS

(a) When additional water pumping stations are required to serve new platted subdivisions, the Town Council, as a condition to acceptance of the final plat, may require the installation of the stations and require the subdivider to execute such instruments as may be necessary to convey title to the stations to the Town of Moorcroft, upon completion. The installation and cost of the stations shall be the responsibility of the subdivider. The Public Works Director, or his authorized agent, will supervise the construction and determine all matters with respect to the installation of the stations including but not limited to, capacity, type, design, and location, as in his discretion would meet minimum requirements for fire and domestic demand. The Town of Moorcroft may require oversize stations to serve areas larger than that proposed by the subdivider; provided, that in such cases the Town of Moorcroft shall pay the cost of the oversize, which cost shall thereafter be collected from other subdividers using the station. Upon completion the Town of Moorcroft shall assume responsibility for the operation and maintenance of stations installed pursuant to this section.

18-240 RESTRICTIONS ON USE

(a) Lawn sprinkling. The use of water from the water utility for lawn sprinkling purposes may be prohibited or restricted by order of the Town Council. Except as provided in subsection (b) of this section the order shall be effective when notice thereof is published in the Town of Moorcroft. Upon the publication of the notice, the sprinkling restrictions, or prohibitions so prescribed shall take effect and any violator thereof shall be punished as provided in section 1-9-901. No hose nozzle or discharge vent used for sprinkling water from the water utility shall be more than one-quarter inch in diameter.

(b) In the event of a major fire or any other emergency that should require the immediate curtailment of the use of water from the water utility, the Public Works Director shall have the authority to make such restrictions as he deems necessary for the protection for the public.

(c) Use on commercial agriculture. The use of water from the water utility for commercial agriculture purposes is prohibited.

(d) Use on property not connected to utilities. No person having water service shall permit any person to take or use water from his water service for use on property not connected to the Town water utility.

(e) Cross connections between water utility and private well lines. No person shall have a cross connection between a private line carrying well water and a line carrying water from the water utility.

18-241 LICENSE DOES NOT ENTITLE ONE TO USE WATER FOR STREET SPRINKLING

- (a) A license to use water on a lot shall not entitle the licensee to use water for street sprinkling.

18-242 TAMPERING WITH FIRE HYDRANT, MAIN, METER-PROHIBITED

- (a) It shall be unlawful for any person, firm, corporation or association or any agent or employee thereof, to tamper with, turn on or touch any meter, line, cutoff, switch or any other devices or equipment belonging to the Town of Moorcroft, designed for use in furnishing water service by the Town of Moorcroft for the purpose of avoiding or violating any of the provisions of this Title.
- (b) It shall be unlawful for any person, firm, corporation or association or any agent or employee thereof to interfere with or hinder any employee of the Town of Moorcroft, in any way calculated to prevent, delay, or hinder said employee from carrying out any of the provisions of this Title.

18-243 MISREPRESENTATION, MISUSE, AND UNLAWFUL FURNISHING OF WATER TO OTHERS

- (a) In case of misrepresentation on the part of an applicant; or in the event of the willful or unreasonable waste of water in the event of any emergency or otherwise, the Public Works Director or the Town Council in their discretion, may refuse further service. All waste of water is prohibited, and all consumers shall keep their fixtures and service pipes in good condition at their own expense, and all waterways closed when not in use. All leaking or unsafe pipes and fixtures shall be immediately repaired. No consumer shall furnish water to others for use off the premises without due notice to the Public Works Director.

18-244 OPENING OR OPERATING FIRE HYDRANTS

- (a) No person, other than a member of the fire department, shall open or operate any fire hydrant without permission from the Public Works Director.

18-245 FIRE HYDRANTS-REPAIR; TESTING

- (a) All fire hydrants shall be a part of the water utility and shall be kept in repair by the Public Works Director or his authorized agents. Every hydrant shall be tested at least once annually.

18-246 NOTICE OF SHUTTING OFF WATER-BOILERS

(a) Notice will be given, whenever practicable, prior to shutting off water, but consumers are warned that owing to unavoidable accidents or emergencies their water may be shut off at any time and the Town shall not be held liable therefore. All persons having boilers on their premises depending on connected pressure with the water mains are cautioned against collapse of their boilers. As soon as water is turned off, the hot water faucets shall be opened and left open until the water is turned on again. A check valve must always be placed between the boiler and the Town mains to prevent draining the boiler. Premises shall never be left with any faucets open unless the water is turned off inside such building.

18-247 INSPECTION & INVESTIGATION MAY BE MADE AT REASONABLE HOURS

(a) The department's agents or other authorized persons shall have access at reasonable hours to any premises where water is used, for the purpose of making an inspection or investigation.

CHAPTER 3

SEWER UTILITY

18-301 POWERS AND DUTIES OF ADMINISTRATIVE OFFICIALS

(a) The administrative official shall cause to be inspected all openings made in any sewer and all connections made to the sewer utility. He shall take such action as he deems necessary to prevent injury or damage to the sewer utility and to prevent interference with the free flow of sewage.

18-302 PERMIT REQUIRED FOR ALTERATION OF SERVICE LINES

(a) It shall be unlawful to extend any sewer line or to change, enlarge or alter the use of any sewer line connected to the sewer utility without first obtaining a permit therefore. No such permit shall be issued to property situated outside the Town of Moorcroft except under such terms and conditions as the Town Council shall provide.

18-303 SEPARATE SERVICE LINE REQUIRED FOR EACH PROPERTY; PLUMBING FIXTURES TO BE CONNECTED BY PROPERTY OWNER UPON NOTICE

(a) Each property shall be served by its own sewer service line. All plumbing fixtures in any building or structure on any land adjoining to or abutting on or near any street or alley or other place through which there is a public or private sewer connected with the sanitary sewer utility of the Town of Moorcroft shall be connected by the owner of the property or his agent or other persons having charge of or receiving the rent or being the tenant of the same, with such public or private sewer upon notice from the Town of Moorcroft. Such notice shall be served upon the owner of such property by registered or certified mail to his last known address; provided, that this section shall not be construed as prohibiting a single service line to serve a single structure under one roof occupying more than one property.

18-304 SAND AND GREASE TRAPS REQUIRED FOR ESTABLISHMENTS HAVING WASH OR GREASE RACKS

(a) All filling stations, garages, restaurants, school cafeterias, other food service facilities, and similar places having wash or grease racks connected with the sewer utility shall be equipped with a sand and/or grease trap of suitable size and construction.

18-305 DEPOSITING INJURIOUS MATERIAL INTO SYSTEM

(a) The discharge of any water containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly, or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works is hereby prohibited.

(b) Each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the Moorcroft treatment works shall pay for such increased costs.

(c) Solid or viscous substances in quantities of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to ashes, cinders, sand, mud, straw, shavings, paunch manure, hair and fleshing's, entrails, and paper dishes, cups, milk containers, solid food, etc. either whole or ground by garbage grinders.

18-306 PENALTY

(a) Any person found violating this ordinance shall be guilty of a misdemeanor and subject to the penalties described in Town Ordinance 1-9- 901, Uniform Penalty Clause, for each offense together with the costs of action.

CHAPTER 4

GARBAGE UTILITY

18-401 DETERMINATION AS TO WHAT CONSTITUTES GARBAGE; PLACING FOR COLLECTION ITEMS, ETC., WHICH ARE NOT GARBAGE; PENALTY.

(a) The Town Public Works Director, or his designee, shall have the authority to determine, from time-to-time, what items, materials, liquids and things that the Town will not accept for collection and/or disposal at the Town sanitary landfill, and shall have the authority to establish restrictions and conditions for the collection and/or disposal of specific types of garbage at the Town sanitary landfill.

(b) The Town Public Works Director, or his designee, shall keep and maintain a current written statement listing the items, materials, liquids or things which will not be accepted for collection by the Town and/or disposal at the Town sanitary landfill, and also a current written statement specifying restrictions and conditions for the collection of garbage by the Town and/or disposal of specific types of garbage at the Town sanitary landfill. Copies of these written statements shall be kept and made available for public inspection at the Town Clerk's office and at the Town sanitary landfill office, and public notice of any changes thereof shall be given by publication in a newspaper of general circulation within the Town one time prior to the effective date of any such change.

(c) It shall be unlawful for any person to place for collection by the Town in a can or otherwise, or to place, deposit or dispose of or attempt to place, deposit or dispose of at the Town sanitary landfill any item, material, liquid or thing which the Town Public Works Director, or his designee, has determined will not be accepted for collection by the Town and/or disposal at the Town sanitary landfill.

(d) Violation of subsection (c) of this Section constitutes a misdemeanor and is punishable by a fine of up to seven hundred fifty dollars.

18-402 KEEPING, DUMPING AND ACCUMULATING GARBAGE, REFUSE, RUBBISH AND WASTE MATTER WITH THE TOWN; PENALTY.

(a) It shall be unlawful for any person to permit or allow garbage, as defined in this Chapter, or any other debris, refuse, rubbish, junk or waste matter, whether or not same is classified as garbage as provided in this Chapter, and including animal and human excrement, to accumulate on property owned, occupied or under his control within the Town in such a manner that same becomes unsightly, creates an offensive odor, creates a health hazard, or creates an environmental contamination hazard.

(b) It shall be unlawful for any person to dump, throw, place, leave or deposit any garbage, as defined in this Chapter, or any other debris, refuse, rubbish, junk or waste matter, whether or not same is classified as garbage as provided in this Chapter, and including animal and human excrement, upon any private property within the Town not belonging to, occupied by or under the control of such person without the express permission of the owner, occupant or person in control of such property.

(c) It shall be unlawful for any person to dump, throw, place, leave or deposit any garbage, as defined in this Chapter, or any other debris, refuse, rubbish, junk or waste matter, whether or not same is classified as garbage as provided in this Chapter, and including animal and human excrement, upon any public property within the Town; provided, however, that this subsection shall not apply to the disposal of garbage in the Town sanitary landfill or to depositing garbage in public garbage collection cans available for public use.

(d) Violation of this Section constitutes a misdemeanor and is punishable by a fine of up to seven hundred fifty dollars.

18-403 WHO MAY COLLECT AND TRANSPORT GARBAGE WITHIN THE TOWN FOR COMPENSATION; PENALTY

(a) It shall be unlawful for any person, except for the Town and its employees and agents, to collect, remove, transport or haul garbage within the Town for compensation or to hold himself out for hire to collect, remove, transport or haul garbage within the Town for compensation; excluding, however, the collection, removal, transporting and hauling of: (1) garbage, debris, refuse, rubbish, junk and waste matter which the Town will not collect; (2) debris and refuse developing from the construction, repair, remodeling or demolition of structures; (3) human and animal excrement; and (4) lawn and garden debris and refuse such as grass clippings, sticks, dead vegetation, leaves and rocks.

(b) Violation of this Section constitutes a misdemeanor and is punishable by a fine of up to seven hundred fifty dollars.

18-404 TRANSPORTING GARBAGE, REFUSE, RUBBISH AND WASTE MATTER WITHIN THE TOWN; PENALTY

(a) It shall be unlawful for any person to transport, carry or haul upon any public roadway or alley within the Town any garbage, as defined in this Chapter, or any other debris, refuse, rubbish, junk or waste matter, whether or not same is classified as garbage as provided in this Chapter, and including animal and human excrement, without same being covered, enclosed, contained or otherwise secured in such a manner as to insure containment during transport.

(b) Violation of this Section constitutes a misdemeanor and is punishable by a fine of up to seven hundred fifty dollars.

18-405 GENERAL REQUIREMENTS FOR TOWN GARBAGE COLLECTION SERVICE; PENALTY

- (a) Unless otherwise specifically approved by the Town public works commissioner, or his designee, cans furnished by the Town are the only receptacles from which the Town will collect garbage.
- (b) Garbage not contained inside a can will not be collected by the Town; except that for items of garbage which are too large to fit inside the customer's can(s) or which are prohibited by this Section from being placed in the customer's can(s), special arrangements may be made at the Town administration office for the Town to collect said item(s) for a special fee as hereinafter provided.
- (c) The following items shall not be placed in a can for collection by the Town: concrete blocks, rocks, pieces of concrete, wood blocks, lumber, steel or iron pipe, pieces of steel or iron, or other similar solid hard objects if same are larger than six inches long, six inches wide or six inches tall; and sod which is larger than twelve inches long, twelve inches wide or twelve inches tall.
- (d) Ashes from fireplaces, furnaces, stoves and other sources placed in a can must be contained in a sturdy closed plastic bag and must be cold.
- (e) Garbage placed in a can of a type having a tendency to adhere to the inside of a can (such as food waste, damp lawn clippings and other damp and/or sticky garbage) must be contained in a sturdy closed plastic bag.
- (f) Garbage placed in a can of a type having a tendency, due to light weight, to disburse in windy conditions (such as Styrofoam packing pellets) must be contained in a sturdy closed plastic bag.
- (g) Can lids must be kept closed at all times except when garbage is being placed in the can or collected from the can. The Town may refuse to collect garbage from any can if the attached lid is not fully closed so that the lid contacts the entire top opening of the can. All garbage must be contained within the can and not extend beyond the top opening of the can, thereby not obstructing the lid of the can from fully closing.
- (h) The Town will not collect garbage from any can which weight exceeds the lifting capacity of the Town's garbage collection truck.
- (i) Every customer shall keep and maintain the area surrounding his can(s) in a clean and neat manner and shall not allow garbage to accumulate on the ground in the area.

(j) The Town public works commissioner, or his designee, shall for each customer designate where said customer's can(s) must be placed for collection of garbage therefrom. Unless otherwise directed by the Town public works commissioner, or his designee, the front of the can(s) must face directly toward the street, roadway or alley from which the Town's garbage collection packer truck will pick-up the can (the arrows imprinted on the can must point directly toward the street, roadway or alley).

(k) Where the point of collection for a customer's can(s) is located on or along a public street, roadway, or alley, or any part or portion thereof, the can(s) must be removed from the public right-of-way into private property no later than 8:00 P.M. on the day of collection, and shall not be placed back on the point of collection earlier than 5:00 P.M. on the day before the day of collection, provided, however, that this Section shall not apply to two hundred gallon capacity or larger can(s) that do not have attached wheels.

(l) Violation of subsections (e), (f), (g), (i) and (k) of this Section constitutes a misdemeanor and is punishable by a fine of twenty-five dollars. Violation of subsections (c) or (d) of this Section constitutes a misdemeanor and is punishable by a fine of up to seven hundred fifty dollars.

(m) The Town reserves the right, in the discretion of the Town public works commissioner, or his designee, to refuse to collect garbage from any customer who is not in full compliance with the provisions of this Section or with any other Section or provision of this Chapter.

18-406 OWNERSHIP OF CANS; THEFT AND DAMAGE OF CANS; INTERFERENCE WITH CANS; UNAUTHORIZED USE OF CANS; PENALTY

(a) Cans shall be furnished to garbage collection service customers of the Town upon commencement of garbage collection service as part of the garbage collection service. At all times, the Town shall be and remain the lawful owner of the cans, and the customer shall not acquire any property ownership interest therein. Each can so furnished shall be assigned to the customer for use by the customer, or his designees, for the deposit of garbage for collection by the Town. Acceptance of Town garbage collection service by a customer constitutes an agreement and consent by the customer for the Town to go upon the customer's property to retrieve the Town's can(s) at any time, without prior notice, and to enter upon enclosed areas and/or structures located upon the customer's property for the purpose of retrieving the Town's can(s).

(b) Cans which are stolen or damaged while in service shall be replaced by the Town without additional cost to the customer, with the following exceptions: (1) the customer or another acting with the customer's knowledge steals the can; or (2) the customer or another using the can to dispose of garbage with the customer's knowledge damages the can through abuse or misuse. In the event of theft or damage occurring under either of the exceptions specified hereinabove, the Town shall not replace the stolen or damaged can and shall discontinue all garbage collection service to the customer at the service location until such time as full restitution is paid by the customer to the Town for the stolen or damaged can.

(c) It shall be unlawful for any person, other than the customer or his/her designee, to intentionally overturn or tip over, open the attached lid, or move said customer's can(s); provided, however, that this provision shall not apply to employees or agents of the Town. Violation of this subsection constitutes a misdemeanor and is punishable by a fine of up to seven hundred fifty dollars.

(d) It shall be unlawful for any person, other than the customer and those persons authorized by the customer, to deposit any garbage, debris, refuse, rubbish, junk or waste matter in said customer's can(s). This provision shall not apply to cans placed by the Town on public property, such as public parks, unless specifically and clearly designated by visible signage that such can(s) are not for public use, in which event it shall be unlawful for any person except employees or agents of the Town to deposit therein any garbage, debris, refuse, rubbish, junk or waste matter. Violation of this subsection constitutes a misdemeanor and is punishable by a fine of one hundred dollars.

CHAPTER 5

LANDFILL

18-501 ESTABLISHED

(a) There is hereby established a municipal landfill ground for the Town of Moorcroft to be used for the disposal of all ashes, refuse, garbage and other waste matter or materials.

18-502 RULES AND REGULATIONS

(a) The administrative official of the Town of Moorcroft placed in charge of the landfill is hereby authorized to establish rules and regulations for the operation of the municipal landfill and its use by the public.

18-503 REMOVAL OF MATERIAL FROM LANDFILL

(a) All garbage, refuse, waste or matter of any kind disposed of at the municipal landfill shall become the property of the Town of Moorcroft, and no person shall separate, collect, carry or otherwise remove or dispose of anything whatsoever from the municipal landfill ground without the permission of the officer or employee of the Town of Moorcroft in charge of the landfill.

18-504 FEES

(a) Fees for the use of the municipal landfill shall be as established by Resolution

(b) All garbage hauled to the Moorcroft Landfill will be charged according to Resolution

(c) All persons wishing to use the landfill for demolition waste must obtain a "Demolition Permit" from Town Hall before demolition begins. (Demolition is the tearing down or removal of any permanent structure).

(d) Oilfield Demolition (ie. tubing, rods, shed frames, etc) will not be accepted.

(e) All appliances and metals will be placed in a designated location at the Moorcroft Landfill. There will be a set rate for each appliance set by Resolution. Freezers and Refrigerators must be drained by a certified technician and tagged.

(f) The following items need to be separated: Demolition Concrete, Roofing Materials, Clean Wood, Metals, Yard Waste and any item that is non-grind-able or chip-able. Loads that are not properly separated will be charged a fee per ton. This fee will be set by Resolution.

(g) All loads must be weighed for in-town and out-of-town garbage.

18-505 SETTING FIRES

(a) It shall be unlawful for any person to set a fire within the municipal landfill.

18-506 USE OF OTHER PLACES FOR DISPOSAL OF GARBAGE, REFUSE, ETC., PROHIBITED

(a) It shall be unlawful for any person to use land or places within the Town of Moorcroft, other than the municipal landfill, for the purpose of dumping ashes, refuse, garbage, waste or other matter.

18-507 USE OF LANDFILL BY NON-RESIDENTS

(a) It shall be unlawful for any person outside the town limits to use the landfill without permission and payment of fee, for the purpose of dumping ashes, refuse, garbage, waste or other matter.

18-508 PENALTY-PROCEDURE

(a) The violation of any of the provisions of this chapter shall be subject to the penalty and notice provisions of 18-112 and 18-113. See Ordinance No. 3 -1992