

ORDINANCE NO. 3-2015

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TITLE 25, CHAPTER 6, SECTION 25-602

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ORDINANCE AMENDING SECTION 25-602 OF CHAPTER 6, TITLE 25 OF THE CODE OF THE TOWN OF MOORCROFT, WYOMING 1979 TO INCLUDE AND SET MONTHLY WATER INVESTMENT FEE AND SET METERED WATER RATES FOR THE TOWN OF MOORCROFT, WYOMING; 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 25-602 of Chapter 6, Title 25 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:

"25-602 – WATER CHARGES-

(a) There shall be an \$18.00 per monthly billing period water investment fee charged for each residence and residential unit, building, structure, facility, mobile home park space, and premise connected to the Town's municipal water system, plus the following amounts shall be charged, to be billed monthly:

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| 0 – 10,000 gallons (Base Rate) | \$45.00 |
| Each 1,000 gallons or any portion thereof after the first 10,000 gallons | \$ 2.50 |

Regardless of actual usage, each residence and residential unit, building, structure, facility, mobile home park space, and premise connected to the Town's municipal water system shall be charged the Base Rate of \$45.00, plus an additional \$2.50 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 water service customer (or owner), or otherwise, and there is no water usage during that entire billing period.

The \$18.00 monthly water investment fee shall be charged for each residence and residential unit, building, structure, facility, 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 water service customer or property owner. The \$18.00 monthly water investment fee shall be billed to the water service 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 water system shall be primarily liable for the payment of said monthly water investment fee.

(b) Any water service customer meeting all of the following requirements shall receive a 50% reduction from the metered water rates (but not the water investment fee) specified in subsection (a) above for water 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 (b)(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.

Any customer who has been denied a reduction in water 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 (b)(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.


SECTION 2: This Ordinance shall become effective on the first billing period after passage and upon publication as provided by law.

Passed on first reading: July 13, 2015

Passed on second reading: August 10, 2015

PASSED, APPROVED AND ADOPTED on third reading this 24th day of August, 2015.

TOWN OF MOORCROFT:



A handwritten signature in black ink, appearing to read "Steven Sproul", is written over a horizontal line.

Steven Sproul
Mayor

ATTEST:




A handwritten signature in black ink, appearing to read "Kay Guite", is written over a horizontal line.

Kay Guite

Town Clerk/Treasurer

CERTIFICATE OF PUBLICATION

I, Kay Guire, Clerk/Treasurer of the Town of Moorcroft, Wyoming, hereby certify that Ordinance No. 3-2015 was published in the Moorcroft Leader, Moorcroft, Wyoming on this 27th day of August, 2015.



Kay Guire
Town Clerk/Treasurer