

RESOLUTION NO. 2019- 710

A RESOLUTION ACCEPTING AND APPROVING A SEWAGE TREATMENT AGREEMENT WITH CLEARVIEW IMPROVEMENT AND SERVICE DISTRICT, SWEETWATER COUNTY, WYOMING, AND AUTHORIZING AND DIRECTING TIMOTHY A. KAUMO, AS MAYOR OF THE CITY OF ROCK SPRINGS, WYOMING, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, WYOMING, TO EXECUTE SAID AGREEMENT ON BEHALF OF SAID CITY.

WHEREAS, the City of Rock Springs (City) and Clearview Improvement and Service District (District) have heretofore entered into an agreement and amendments or addendums thereto, which set forth the terms and conditions under which the City agreed to receive and treat raw sewage generated by the District, in return for which the District agreed to pay to the City a specified price; and,

WHEREAS, the City and the District wish to enter into a new agreement to provide for the terms and conditions under which the City will accept and treat the raw sewage generated by the District and the parties agree that this Agreement shall supersede and replace all prior agreements, amendments or addendums; and,

WHEREAS, the Governing Body of the City of Rock Springs has said Agreement before it and has given it careful review and consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1. That the Sewage Treatment Agreement with the Clearview Improvement and Service District, attached hereto and by this reference made a part hereof, be and it is hereby, accepted and approved by the Governing Body of said City.

Section 2. That the Mayor of said City, be, and he is hereby, authorized, empowered and directed to execute said Agreement on behalf of said City; and that the City Clerk of said City, be and he is hereby, authorized and directed to attest to said Agreement and to attach to each duplicate original of said agreement a certified copy of this Resolution.

PASSED AND APPROVED this _____ day of _____, 2019.

President of the Council

Attest:

Mayor

City Clerk

2019
5/28/19

SEWAGE TREATMENT AGREEMENT

This agreement is made and entered into this ____ day of _____, 2019, by and between the City of Rock Springs, Wyoming, 212 D Street, Rock Springs, WY 82901, (hereinafter referred to as "City") and the Clearview Improvement and Service District, Sweetwater County, Wyoming (hereinafter referred to as "District").

WITNESSETH:

Whereas, the City and the District have heretofore entered into an agreement and amendments or addendums thereto, which set forth the terms and conditions under which the City agreed to receive and treat raw sewage generated by the District, in return for which the District agreed to pay to the City a specified price, and;

Whereas, the City and the District wish to enter into a new agreement to provide for the terms and conditions under which the City will accept and treat the raw sewage generated by the District and the parties agree that this Agreement shall supersede and replace all prior agreements, amendments or addendums.

NOW THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. CONNECTION TO CITY SEWER SYSTEM, INSTALLATION OF FLOW MEASURING DEVICE.

The District is authorized by the City to connect its sanitary sewer collection system to the sewer collection system of the city. This connection shall take place at the location where the District system is currently connected to the City system and where the flow measuring device is installed, which is more specifically described and set forth in Exhibit "A" attached hereto and incorporated herein by this reference. The District may, with prior written approval of the City, and upon such terms and conditions as the City deems necessary and appropriate, make additional connections to the City sewage collection system. The City and District shall cause the location and the terms and conditions of making such a connection to become a part of this Agreement.

2. FLOW MEASURING DEVICE.

The District shall, at its own expense, purchase a data logging device to accurately compute the waste water delivered to the City. Said data logging device shall be approved by the City prior to installation. Upon installation and acceptance by the City, the City agrees to accept and retain full ownership and control of the metering facility and shall, at its own expense, provide such maintenance as it deems to be necessary. The City shall initially provide such cleaning and maintenance of the facility and/or measuring device to ensure accuracy of the data being collected and shall notify and permit a representative of the District to be present and observe the cleaning and maintenance. Thereafter, cleaning and maintenance may be undertaken as the City and District may determine that such cleaning

and maintenance is necessary. The City shall provide calibration of the metering device by a qualified party agreed upon by the City and the District on an annual basis or immediately following an equipment failure. Upon notice to the City and with a City representative present, the City shall provide the District unrestricted access to the metering facility the purpose of using a portable metering device to periodically verifying the accuracy of the City owned measuring device. The City shall provide the District with accurate data showing actual flows of sewage generated by the District and passing through the metering facility. The City shall use reasonable efforts to notify the District and allow a District representative present when reading, inspecting or testing the device.

3. WASTEWATER TREATMENT SERVICE CHARGE.

For all sewage generated by the District and delivered into the City sewage collection system, the District shall pay to the City a wastewater treatment and disposal service charge. Pursuant to the provisions of Resolution No. 2004-168, a copy of which is attached hereto as Exhibit "B" and incorporated herein by this reference, this charge shall be calculated at one point one five (1.15) times the rate per gallon which the City has established for commercial users of its system and the City shall bill the District for actual flow of sewage delivered to the City system as measured by the District's flow measuring device referred to above. In the event the City increases or decreases its sewer service charge for commercial users of the City system, the District agrees to pay one point one five times (1.15) the new commercial rate.

4. NOTICE OF RATE CHANGES.

The City shall use its best efforts to see that the District receives notice of meetings at which service rate increases are placed on the agenda and the District shall be placed upon the mailing list of the City and shall receive copies of the meeting agenda for all regularly scheduled City Council Meetings.

5. BILLING AND LATE PAYMENT FEES.

The City shall establish an average monthly wastewater treatment and disposal charge, which the District may pay on a monthly basis. The District shall receive a quarterly billing from the City and any monthly payments made by the District during the quarter shall be offset against the quarterly billed amount. The District shall pay to the City any difference between the quarterly billing amount and the monthly payments made during the quarter. In the event the monthly payments made by the District exceed the quarterly billing amount, the District shall receive an appropriate credit. Payment shall be due and payable not more than twenty (20) days after the billing date. Late payments on any unpaid portion of the quarterly billing amount shall be subject to an additional late payment fee of five percent (5%) of the unpaid amount.

6. OWNERSHIP AND MAINTENANCE OF DISTRICT SEWER SYSTEM.

Ownership and responsibility for maintenance of the sewage collection system constructed by the District shall be and at all times remain with the District.

7. CAPACITY OF CITY TREATMENT WORKS RESERVED FOR DISTRICT

The City and the District agree that at the time of the execution of this Agreement, the District holds zero (0) unused sewer taps which it acquired pursuant to the previous agreement referred to above and the District will be granted fifteen (15) additional taps by this Agreement. The City will reserve sufficient capacity in its treatment works to accept and treat the sewage generated by these sewer taps. The City shall not reserve additional capacity in its treatment works for the District and the parties agree that such additional capacity as may be necessary to serve the future needs of the District shall be acquired pursuant to the terms of paragraph 8 below.

8. SEWER TAPS SEWER TAP CHARGES.

The District will require any owner of property within the District, before connecting to the sewage system of the District, to apply for and obtain a sewer tap permit. The District shall notify the City at the time an application for a sewer permit is made and the City shall determine whether there is capacity available in the City treatment works. If capacity is available, the District may issue the permit and shall see that a copy of the permit is delivered to the City. The District and the City agree that the District shall pay an individual treatment capacity purchase fee in lieu of individual hook-up fees pursuant to the provisions of the Ordinances of The City of Rock Springs Section 7-406.1 (b)(2), a copy of which is attached hereto and incorporated herein by this reference as Exhibit "C". It is agreed upon by the parties that currently this fee shall be One Thousand Nine Hundred Fifty Dollars (\$1,950.00) per sewer tap.

9. INSPECTIONS.

The City and the District agree that at such time as any new taps or connections to the District system are made, the District will notify the City and the District will allow the City to inspect and/or verify tap or connection.

10. PRETREATMENT REQUIREMENTS.

The District agrees that the City of Rock Springs Pretreatment and Collections Supervisor or any other duly authorized agents, officers, or employees of the City shall, in the same manner and to the same degree as with users within the City, enforce as against all persons using or discharging into the District's system, all Federal, State or local laws, ordinances, rules or regulations regarding the discharge, disposal and/or treatment of wastewater or wastes placed in the sanitary sewage collection system of the District which are ultimately delivered to the sanitary sewage collection and treatment system of the City, as those rules, laws or regulations now exist or may hereafter be amended, and the City shall inform the

District when it determines that any user is not in compliance with such laws, ordinances, rules or regulations. The City shall not in any way use its enforcement power under this section to affect rates or implement additional charges for sewerage treatment and disposal. The District shall use its best efforts to assist the City, whenever possible, in its enforcement activities. The District acknowledges and agrees that all persons using or discharging into its system are subject to and shall comply with such laws, ordinances, rules and regulations of the City. The District further acknowledges and agrees that all persons using or discharging into the District's sanitation system will be subject to the enforcement powers of the City in the event of violation of said laws, ordinances or rules and regulations promulgated by the City as they now exist or may hereafter be amended and said laws, ordinances, or rules and regulations are incorporated herein by reference. The District agrees that it will inform all users or dischargers in the District of the requirements they are subject to and the penalties to which such users are subject, for violation of the discharge requirements and prohibitions. (A current copy of these laws, ordinances, rules and regulations presently codified in Article 7 of the Ordinances of The City of Rock Springs a copy of which is attached hereto as Exhibit "C").

11. INDEMNIFICATION

The City and the District hereby agree to indemnify and hold each other harmless from and against any and all claims and demands for personal injury, including death and/or property damage, together with all other damages, arising out of or occasioned by the performance by such party of its obligations under this Agreement except as such may be caused by the tortuous acts or omissions of such party.

12. TERM

This Agreement shall remain in full force and effect for a term of two (2) years following the effective date of this Agreement, or will be renewed on an automatic basis, annually, unless notified by either party at least 90 days prior to the end of the contract term. The obligations of the District hereunder have been determined by the City of Rock Springs to constitute a significant benefit and advantage to the City, and the term of this contract has been established in consideration of such benefit and advantage.

13. COUNTERPARTS

This Agreement may simultaneously be executed in several counter-parts, each of which shall be an original and all of which shall constitute but one and the same instrument.

14. HEADINGS

The paragraph headings in this Agreement are inserted for convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

15. AMENDMENTS

This Agreement shall not be changed, amended, modified, altered or terminated except by written instrument signed by the parties.

Attest:

CITY OF ROCK SPRINGS, WYOMING,

CITY CLERK

MAYOR

Attest:

CLEARVIEW IMPROVEMENT AND
SERVICE DISTRICT,



SECRETARY



DISTRICT CHAIRPERSON



EXHIBIT
A
 Tables



7/30/04

RESOLUTION NO. 2004-168

A RESOLUTION AMENDING THE SEWER POLICY OF THE CITY OF ROCK SPRINGS, WYOMING.

WHEREAS, the City of Rock Springs has established a sewer policy regarding sewer services within the City; and

WHEREAS, the City of Rock Springs desires to amend said policy; and

WHEREAS, the Governing Body of the City of Rock Springs has said policy amendments before it and have given them careful review and consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

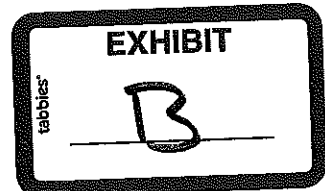
Section 1. That the amendments to the Sewer Policy of the City of Rock Springs, attached hereto and by this reference made a part herein, are hereby accepted and approved by the City of Rock Springs, Wyoming.

PASSED AND APPROVED this 3rd day of August, 2004.

Stephen J. Shea
President of Council
Timothy A. Korman
Mayor

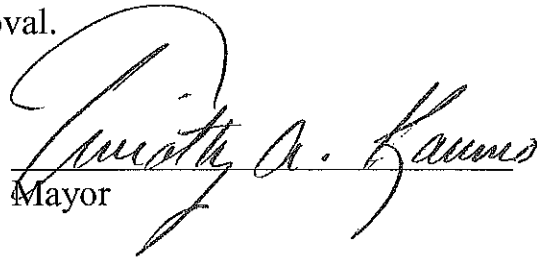
Attest:

Colleen A. Peters
City Clerk



THE STATE OF WYOMING)
COUNTY OF SWEETWATER) ss.
CITY OF ROCK SPRINGS)

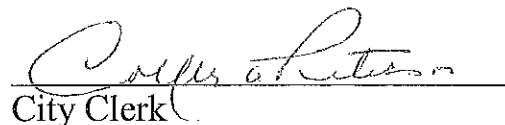
I, Timothy A. Kaumo, Mayor of the City of Rock Springs, Wyoming, do hereby proclaim that the foregoing Resolution of the said City of Rock Springs was, on the date thereof, duly and regularly passed and approved by the City Council of the said City of Rock Springs and by the Mayor of said City and attested by the City Clerk of said City, and I do hereby proclaim the same to be in full force and effect from and after the date of its passage and approval.



Mayor

THE STATE OF WYOMING)
COUNTY OF SWEETWATER) ss.
CITY OF ROCK SPRINGS)

I, Colleen A. Peterson, City Clerk of the City of Rock Springs, Wyoming, do hereby certify that on this 3rd day of August 2004 the foregoing Resolution of the City of Rock Springs was proclaimed by the Mayor of said City to be in full force and effect from and after the passage thereof as set forth in said Resolution, and that the same was posted by me in the office of the City Clerk as directed by the City Council on the 3rd day of August 2004 at 9:00 p.m. of said day.



City Clerk

SEWER POLICY

CITY OF ROCK SPRINGS

RATE FACTOR

1. A rate factor will be computed using April-March water consumption records and the fiscal year budget for the Wastewater Department, Operations and Administration. The rate factor will be calculated by dividing the total annual Wastewater Department Budget (operations, maintenance, capital costs, and administration) by the total annual water consumption of all water accounts less irrigation meters.
2. The rate factor computed, based on water consumption records, will then be multiplied by the user's average water consumption to establish individual sewer use fees for each sewer account.
3. The rate factor shall be reviewed annually and adjusted if necessary, based upon the previous year water billing accounts for the period April-March, and the Wastewater Budget for the corresponding fiscal year.

RESIDENTIAL ACCOUNTS

1. Residential sewer use fees will be calculated by using an average of the three lowest months' water consumption from the previous year for the period of April through March, and multiplying the average monthly water consumption times the rate factor. Residential accounts will be reviewed individually to determine the consumption for the designated months.
2. Residential accounts with separate water meters used exclusively for irrigation shall not be billed a sewer use fee for the water consumption through the irrigation meter.
3. The City of Rock Springs may provide one water meter for each user as per City Ordinance, Section 4-1406, c. If users request the installation of a water meter to be used exclusively for irrigation, the City may provide a second meter only if usage from that meter is to be read and billed by the City. The user shall bear all costs of installation, and maintenance of meters installed secondary to the City's meter, as well as the cost of the meter.

COMMERCIAL ACCOUNTS

1. Commercial sewer use fees will be established to correspond with the twelve-month average water consumption from the previous year. Commercial water accounts will be reviewed individually to determine the average twelve-month consumption. This average consumption will then be multiplied by the rate factor to compute the monthly sewer use fee.
2. Mobile Home Parks will be classified as residential accounts. Apartments are classified as residential accounts unless changed by the appeals process.
3. If sewer flow is metered, the actual flow will be used for computation of the sewer use fee. Outlying county areas will be billed directly.
4. The outlying county areas served by sewer/water districts shall pay 1.15 times the rate factor used for City accounts.
5. The City of Rock Springs may provide one water meter for each user. If users request the installation of a second water meter exclusively for irrigation, the City may provide a second meter, only if usage from that meter is to be read and billed by the City. The user shall bear all costs of the installation, and maintenance of meters installed secondary to the City's meter, as well as the cost of the meter. The City shall read those locations with private meters used to segregate irrigation water from domestic water, so that irrigation will not be considered in consumption review for sewer fee computation.

MISCELLANEOUS

1. Payments will be applied first to deposits in proportion that water and sewer deposits are due. Any remaining payments will be applied to the service balance in proportion to amounts due.
2. Waiver agreements become void upon relocation of a tenant and outstanding balance will revert to the property owner.
3. The minimum sewer use fee shall be applied to all active accounts that show no water consumption.
4. Account payments may be paid by VISA or MASTERCARD credit or debit card payment. A fee shall be charged for the use of a credit card payment, so that the full amount due from users fees for the customer account is recovered, plus the fee to process the payment by credit or debit card.

NEW ACCOUNTS

1. The monthly sewer use fee for new residential accounts of single family units will be established by using 268 cubic feet of usage per individual in the household.
2. Sewer rates for new residential accounts of single family units purchased as investment or rental property shall be based on the three lowest months of consumption during the last full year of active usage at that location.
3. Sewer rates for new residential accounts of multi-family units will be established using averages of similar locations.

4. Sewer rates for commercial accounts will be established by using an average of water consumption history at that location. If no prior history has been established, the rate shall be based on an average of water histories established by similar business types. Average consumption will then be multiplied by the rate factor to compute the sewer use fee.

APPEALS

1. All rate reconciliation to accounts shall be approved by an appeals board appointed by the Mayor.

SEWER POLICY

CITY OF ROCK SPRINGS

RATE FACTOR

1. A rate factor will be computed using April-March water consumption records and the ~~current~~ fiscal year budget for the ~~sewer department~~ **Wastewater Department, Operations and Administration**. The rate factor will be calculated by dividing the total annual ~~sewer plant budget~~ **Wastewater Department Budget** (operations, maintenance, capital costs, **and administration**) by the total annual water consumption of all water accounts less the schools' and City's irrigation meters.
2. The rate factor computed, based from ~~on~~ water consumption records, will then be multiplied by the **user's** average water consumption to establish individual sewer use fees for each sewer account.
3. The rate factor shall be reviewed **annually** and adjusted ~~annually using the previous year water billing accounts for the period April-March. if necessary,~~ **based upon the previous year water billing accounts for the period April-March, and the Wastewater Budget for the corresponding fiscal year.**

RESIDENTIAL ACCOUNTS

1. Residential sewer use fees will be established to correspond ~~calculated by using an average of~~ **calculated by using an average of** the three lowest months' water consumption from the previous year **for the period of April through March, and multiplying the average monthly water consumption times the rate factor.** Residential water accounts will be reviewed individually to determine the consumption for the designated months. ~~This average water consumption will then be multiplied by the rate facator to compute the sewer use fees.~~
2. Residential accounts with separate water meters used exclusively for irrigation shall not be billed **a sewer use fee** for the water consumption through the irrigation meter.
3. The City of Rock Springs will **may** provide one water meter for each user as per **City Ordinance**, Section 4-1406, c. If users request the installation of a water meter **to be** used exclusively for irrigation, **the City may provide a second meter only if usage from that meter is to be read and billed by the City.** The user shall bear all costs of installation, and maintenance **of meters installed secondary to the City's meter,** as well as the cost of the meter.

COMMERCIAL ACCOUNTS

1. Commercial sewer use fees will be established to correspond with the twelve-month average water consumption from the previous year. Commercial water accounts will be reviewed individually to determine the average twelve-month consumption. This average consumption will then be multiplied by the rate factor to compute the monthly sewer use fee.
2. ~~Commercial establishments with landscaped areas will be allowed a four month landscaping discount. The discounts may be established by using separate water meters which will provide a direct method for subtracting the water used for landscaping from the total water bill. Another means of providing landscaping discounts will be provided by allowance of a \$162.33/mo. discount for each whole acre of landscaping. Each commercial establishment must compute the acreage covered by landscaping and submit the information to the City Engineer for approval.~~
2. Mobile Home Parks will be classified as ~~commercial~~ **residential** accounts. Apartments are classified as residential accounts unless changed by the appeals process.
3. If sewer flow is metered, the actual flow will be used for computation of the sewer use fee. Outlying county areas will be billed directly.
4. The outlying county areas served by sewer/water districts shall pay three- **1.15** times the rate factor used for City accounts.
5. The City of Rock Springs will may provide one water meter for each user as per Section 4-1606(e). If users request the installation of a **second** water meter used exclusively for irrigation, the City may provide a second meter, only if usage from that meter is to be read and billed by the City. The user shall bear all costs of the installation, and maintenance **of meters installed secondary to the City's meter**, as well as the cost of the meter. The City shall read those locations with private meters used to segregate irrigation water from domestic water, so that irrigation will not be considered in consumption review for sewer fee computation.

MISCELLANEOUS

1. Payments will be applied first to deposits in proportion that water and sewer deposits are due. Any remaining payments will be applied to the service balance in proportion to amounts due.
2. Waiver agreements become void upon relocation of a tenant and outstanding balance will revert to the property owner.
3. The minimum sewer use fee shall be applied to all active accounts that show no water consumption.

4. Account payments may be paid by VISA or MASTERCARD credit or debit card payment. A fee shall be charged for the use of a credit card payment, so that the full amount due from users fees for the customer account is recovered, plus the fee to process the payment by credit or debit card.

NEW ACCOUNTS

1. The monthly sewer use fee for new residential accounts of single family units will be established by using 268 cubic feet of usage per individual in the household.
2. Sewer rates for new residential accounts of single family units purchased as investment or rental property shall be based on the three lowest months of consumption during the last full year of active usage at that location.
3. Sewer rates for new residential accounts of multi-family units will be established by using national averages of similar locations for sewer use.
4. Sewer rates for commercial accounts will be established by using current an average of water consumption readings history at that location. If no prior history has been established, the rate shall be based on an average of water histories established by similar business types. The current water Average consumption will then be multiplied by the rate factor to compute the sewer use fee.

APPEALS

1. All rate reconciliation to accounts shall be approved by an appeals board appointed by the Mayor.

RATE ADJUSTMENTS

~~Approved rate adjustments and irrigation discounts expire at the end of twelve months.~~

EXHIBIT C

7-406.1 Fees for Property Owners to Connect with Sanitary Sewer System.

A. The owners of real property, situate within the city limits of Rock Springs, Wyoming, shall be assessed the following enumerated fees for connecting with the sanitary sewer system of said City, viz:

For each family residence	\$1,500.00
For each family residence With apartment	\$1,500.00 for each apartment Plus \$1,500.00 for the family Residence.
For each trailer on a private Lot	\$1,500.00
For each mobile trailer park	\$1,500.00 per trailer space And for expansion of said Mobile trailer park, \$1,500.00 for each additional space.
For each RV trailer park	\$750.00 per RV space.
For each hotel	\$1,100.00 per room and for Expansion of said hotel, \$1,100.00 per each additional room.
For each motel	\$1,100.00 per unit and for Expansion of said motel, \$1,100.00 per each additional unit.
For each apartment Building	\$1,500.00 per unit and for Expansion of said apart- ment building, \$1,500.00 for each additional room.
For each nursing home	\$1,500.00 per room and for Expansion of said old age Or retirement home, \$1,500.00 for each additional room.
For each lodging or Rooming house	\$1,500.00 per room and for Expansions of said lodging Or rooming house, \$1,500.00 for each additional room.
For each business estab- lishment having private or public rest rooms	\$1,500.00 for each rest room and for each equivalent services unit.
For all other buildings Or facilities	\$1,500.00 per rest room or Service unit equivalent or as Determined by the Governing Body.

(Ord. No. 2007-01, 2/20/07).

- B. (1) The owners of real property situate outside the city limits of Rock Springs, Wyoming, who desire to connect with said City's sanitary sewer system and who are granted permission by the Mayor of said City to do so upon such terms and conditions as he deems reasonable and appropriate shall be assessed the following enumerated fees for connecting with the sanitary sewer system of said City:

For each family residence	\$2,000.00
For each family residence With apartment	\$2,000.00 for each apartment plus \$2,000.00 for the family residence.
For each trailer on a private Lot	\$2,000.00
For each mobile trailer park	\$2,000.00 per trailer space And for expansion of said Mobile trailer park, \$2,000.00 for each additional space.
For each RV trailer park	\$1,250.00 per RV trailer Space.
For each hotel	\$1,500.00 per room and for Expansion of said motel, \$1,500.00 for each additional room.
For each motel	\$1,500.00 per unit and for Expansion of said motel, \$1,500.00 per each additional unit.
For each apartment building	\$2,000.00 per unit and for Expansion of said apartment building, \$2,000.00 for each additional room.
For each nursing home	\$2,000.00 per room and for Expansion of said old age Or retirement home, \$2,000.00 for each additional room.
For each lodging or Rooming house	\$2,000.00 per room and for Expansion of said lodging Or rooming house, \$2,000.00 for each additional room.
For each business Establishment having private Or public rest rooms	\$2,000.00 for each rest Room and for each equivalent services unit.
For all other buildings or Facilities	\$2,000.00 per rest room or Service unit equivalent As determined by the City.

(Ord. No. 2007-01, 2/20/07).

- B. (2) Any political subdivision situate without the City limits of Rock Springs, Wyoming, whose governmental authority includes the power to construct, acquire, operate and maintain public sewage collection facilities, and who desires to connect with said City's sanitary sewer system for the purpose of treatment of the sewage effluent collected by any such political subdivision, and who is granted permission by the Mayor of said City to do so upon such terms and conditions as he deems reasonable and appropriate, shall, at the option of any such political subdivision, be assessed, in lieu of individual hook-up fees as set forth in Paragraph (b)(1) of this Section, a treatment capacity purchase fee, upon payment of which, any such political subdivision shall thereafter be authorized to discharge into said City's sanitary sewer system on a daily basis the maximum number of gallons of sewage effluent for which treatment capacity has been so purchased. The City of Rock Springs shall determine the average daily gallon discharge of sewage effluent from the service unit classifications in Paragraph (b)(1) of this Section, and the capacity purchase fee to be paid to the City shall be calculated by dividing the maximum authorized daily gallon discharge of the political subdivision by such average daily gallon service unit discharge as determined by the City, and by then multiplying the number of such equivalent service units thus determined by the dollar amount of the service unit hook-up fee as set forth in Paragraph (b)(1) of this Section, all as reflected by the following two-step formula:

(a) Maximum Authorized Daily Discharge in Gallons - Average Daily Discharge in Gallons of a Single Sewer Service Unit, as determined by the City = Equivalent Single Service Units (ESSU)

(b) ESSU x City "Hook-Up" Fee for Single Service Unit = Capacity Purchase Fee.

- B. (3) Any hook-up fee or sewage treatment capacity purchase fee assessed against any political subdivision situate without the City limits of Rock Springs, Wyoming, and connecting to the sanitary sewer system of the City in accordance with subsections (b)(1) and (b)(2) herein shall be paid at such times and upon such terms and conditions as shall be determined by the governing body of the City of Rock Springs.
- C. Sewer hook-up permits shall be issued only for a building or facility actually in use and existence or soon to be completed and put to use. A sewer hook-up permit will, therefore, only be issued in conjunction with or following the issuance of a building permit.
- D. When the extent or nature of the use of a building or facility is changed or expanded, credit shall be given for the amount paid for the original permit; if the new use calls for a lower fee than originally paid or if the extent of the use decreases.
- E. Unused and outstanding sewer hook-up permits shall remain valid until used. If such permits were issued for use at a particular location or for a particular type of facility than they may only be so used.

Section 2. It being deemed by the City Council that an emergency exists and that more than three-fourths (3/4) of the Council having consented thereto, this Ordinance shall take effect without the same being read on three different days, and shall be in full force and effect from and after its legal passage and approval. (Ord. No. 82-34, 8-3-82; Ord. No. 84-20, 2-2-84; Ord. No. 85-25, 12-17-85; Ord. No. 86-07, 6-3-86; Ord. No. 87-12, 7-21-87; Ord. No. 89-19, 9-5-89). (97-09, Amended, 07/15/1997).