

RESOLUTION # 2016.003

RESOLUTION ADOPTING THE RULES AND REGULATIONS
FOR THE
ADAMS CANYON SEWER SYSTEM

WHEREAS, Teton County, Wyoming, a duly organized county of the State of Wyoming, owns and operates the Adams Canyon Sewer System; and

WHEREAS, as the owner and operator of the Adams Canyon Sewer System, Teton County has the authority to promulgate rules and regulations for the operation of the Adams Canyon Sewer System.

NOW THEREFORE, the Board of County Commissioners of the County of Teton hereby adopts the following Rules and Regulations for the Adams Canyon Sewer System:

ARTICLE I
INTRODUCTION

These Rules and Regulations (“Regulations”) provide for management and operation of the Adams Canyon Sewer System owned by Teton County. These Regulations are necessary to promote the health, safety, and general welfare of the inhabitants within the service area of the Adams Canyon Sewer System.

- The Sewer System collects and transports wastewater to the Town of Jackson sewer system and wastewater treatment plant for treatment and disposal. The Sewer System must not be used for flood waters, surface drainages, industrial process waters or water from above ground or underground sources.

Teton County is a governmental entity subject to the provisions of the Wyoming Governmental Claims Act (“WGCA”), as it may be amended from time to time. Nothing in these Regulations is intended to extend the liability of Teton County beyond that which may be provided for under the WGCA. Further, Teton County in enacting these Regulations, does not intend to waive its sovereign immunity beyond any waiver that may be provided under the WGCA.

ARTICLE II
DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in these Regulations are as follows:

- 2.1 “Adams Canyon Sewer Service Area” includes all wastewater generators that are within 500 feet of the Adams Canyon Sewer System and approved extensions thereof, that are not already connected to a central sewer system that is in compliance with Wyoming DEQ wastewater treatment and disposal rules and regulations.
- 2.2 “Auxiliary Water Supply” means any water supply on or available to the User’s Premises other than potable water supplied to plumbing fixtures that provide water for drinking, bathing, or culinary purposes. Irrigation wells and groundwater heating and cooling systems are an example of an Auxiliary Water Supply.
- 2.3 “Board” means the Board of Teton County Commissioners.
- 2.4 “Connection Fee” means a charge to a User for connecting to the Sewer System or for adding plumbing fixtures to an existing connection or for changing the use within a building or other facility already connected to the Sewer System.
- 2.5 “Connection Permit” means the written permission from the Board for a User to connect their Service Lines to Sewer Mains, to add plumbing fixtures to a new or existing connection, or to change the use of a building or other facility already connected to the Sewer System.
- 2.6 “County” means Teton County.
- 2.7 “Cross-connection” means an actual or potential connection between the Water System and any other source or system through which it is possible to introduce Contamination into the Water System. Cross Connection is prohibited.

- 2.8 “Owner” means individual owners, joint owners, partnerships, corporations, multiple owners including all unit owners in a condominium, all owners in an association, all owners in a special district, or whoever may be the owner(s) of record of the given property connected to the Sewer System. The owner shall be responsible for their property due to actions of himself or family, guests, visitors, renters, lessees, employees, property managers and their employees, contractors and their employees, trespassers, or others gaining access to the property.
- 2.9 “Person” means any individual, corporation, company, association, partnership, special district, municipality, public utility or other public body or institution.
- 2.10 “Premise” means any and all areas on an Owner’s property which is served or has the potential to be served by the Sewer System.
- 2.11 “Potable Water” means water free from impurities in amounts sufficient to cause disease or harmful physiological effects. Water quality must conform to the United States Environmental Protection Agency and/or Wyoming Department of Environmental Quality Water Quality Rules and Regulations.
- 2.12 “Sewer Main Line” means a sewer collection line that is the property of the County.
- 2.13 “Sewer Service Line” means the Owner’s sewer line running from a building to a Sewer Main Line.
- 2.14 “Sewer System” means the property and processes of the Adams Canyon Sewer that includes, but is not limited to, the Sewer Main Lines, manholes, sewer interceptors, and sewer lift stations.
- 2.15 “Slug” means any discharge of Wastewater which adversely affects the performance of the Sewer System, or if the 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 quantity of flow during normal operation. Discharges resulting in a Slug are prohibited.
- 2.16 “User” means any person, partnership, corporation, association, special district, governmental authority, or their lessees and tenants authorized to use the Sewer System and who is supplied with sewer service by the County.
- 2.17 “Wastewater” means the spent water of a community. It is any combination of water and water-carried wastes from a User’s premise. Wastewater is sometimes called sewage.
- 2.18 “Water Meter” or “Meter” means a device, including the required remote automatic meter reading device and associated battery, for measuring and registering the quantity of water that passes through a pipe.

ARTICLE III CONNECTING TO THE SEWER SYSTEM

- 3.1 Mandatory Use. The use of the Sewer System is mandatory for all Wastewater within the Adams Canyon Sewer System Service Area, unless legal access to the Sewer System is not obtainable, or service is denied by any sewer main owner or wastewater treatment provider, or it is not economical to connect to the Sewer System as determined by the County. The use of a private septic system, cesspool, privy, leach field or similar is prohibited except for the grandfathered septic system/leach fields existing before January 1, 2016. When properties with grandfathered septic system/leach fields are redeveloped or remodeled such that there is an increase in the number of fixture units or increase in use, connection to the Sewer System becomes mandatory as provide herein.
- 3.2 Management and Control. The County has exclusive management and control of the Sewer System and shall from time to time make such rules and regulations as the County deems necessary.
- 3.3 Excavation Safety. Any excavation must be adequately guarded with barricades and lights so as to protect the public from hazard.
- 3.4 Connection Permits. The Owner must obtain a Connection Permit from the County and the Connection Fee must be paid, and the Owner must sign and have recorded a “Wastewater Treatment Facilities Connection and Use Agreement” with the Town of Jackson and a Wastewater Capacity Fee must be paid to the Town of Jackson before starting any of the following activities that may impact, directly or indirectly, the Sewer System in any manner: any new construction, any remodel or renovation, any change of use for a building or facility already connected to the Sewer System, or any miscellaneous activity that includes connecting to, uncovering, opening, altering, extending or otherwise disturbing any Main Line or Service Line or appurtenance thereof.

- a. Connection Permit Process. The following steps define the Connection Permit process:
- i. Connection Application. The process to obtain a Connection Permit starts with an Adams Canyon Sewer Connection Permit Application (Connection Application). The County shall use the Connection Application to calculate the impact of the proposed activity on the Sewer System. The application itemizes the type of sewer use, the number of units, and the size of the units. The Connection Application is available from the County Planning and Development Department, Building Division office. The following paragraphs describe the requirements for completing the worksheet based on the type of activity contemplated. A Connection Application must be completed for new construction, remodel or renovation of an existing structure connected to the Sewer System, a change of use within an existing structure connected to the Sewer System, connection of an existing structure or use to the Sewer System.
 - ii. Connection Application Package. A connection application package consists of the Connection Application(s), supplemental data including any plans, sketches, drawings, specifications or other pertinent information describing the contemplated actions as required by the County and a nonrefundable Connection Application Fee as specified in the Connection Permit Application. The connection application package must be delivered to the County Planning and Development Department, Building Division office.
 - iii. Review and Preliminary Approval. The County will review the connection application package. The applicant will be notified of any problem with the application and informed of the required corrective action. After completing the review, the County will either issue preliminary approval of the application, including any conditions deemed appropriate, or deny the application.
 - iv. Town of Jackson Wastewater Capacity Fee. If the County issues preliminary approval of the application the County will notify the applicant that the preliminary approved application is available. The applicant will be required to submit the preliminary approved Adams Canyon Sewer Connection Permit Application to the Town of Jackson, obtain Town Council approval, sign and record the Town of Jackson's "Wastewater Treatment Facilities Connection and Use Agreement", pay the Town of Jackson a Wastewater Capacity Fee, and purchase a water meter from the Town of Jackson.
 - v. Connection Fee. The applicant shall submit to the County the approved Town of Jackson permit and receipt of payment to the Town of Jackson. The County will calculate the Adams Canyon Sewer Connection Fee based on the Town of Jackson Wastewater Capacity Fee. The Adams Canyon Sewer Connection Fee is a flat fee, dollars per Equivalent Residential Unit (ERU). An ERU is defined as residential unit: house, condominium w/laundry, townhouse, or apartment with two or more bedrooms. The number of ERUs for determining the Adams Canyon Sewer Connection fee is determined by dividing the total Town of Jackson Wastewater Capacity Fee by the Town of Jackson Wastewater Capacity Fee for a residential unit. The Adams Canyon Sewer Connection Fee is based on the version of the County Connection Application in effect at the time of delivery of the complete Connection Application Package including the Town of Jackson permit package. The applicant will be notified of the application approval and the Connection Fee due to the County. If the Connection Fee is not paid within sixty (60) days from the date of application approval, the application expires and a new application, including a new Connection Application Fee, is required to proceed with the contemplated activity.
 - vi. Connection Fee Waiver. Notwithstanding any other provision to the contrary, upon written request by the applicant, the Board may waive all or part of the Connection Fee for Users in order to facilitate the construction, ownership, and operation of Affordable Housing on such property by a nonprofit organization dedicated to providing Affordable Housing as well as other entities as determined by the Board. The Board may condition such waiver upon the Owner recording against the property a document that requires the payment of such fees in the event the property use as Affordable Housing is discontinued or no longer meets the definition of Affordable Housing as determined by the County. The decision to grant or deny a request to waive all or part of the Connection Fee shall be in the Board's sole discretion.
 - vii. Issuance. The Connection Permit will be issued if the application is approved by the County and the Connection Fee is paid by the applicant.

- b. Road Cuts. A Connection Permit does not authorize any cut in any public road, street or sidewalk. Approval for such activity must be obtained from the appropriate regulatory authority.
- c. Misrepresentation. For misrepresentation in a Connection Application, the County may turn off or disconnect the User's sewer service and, at the sole discretion of the Board, User may forfeit all interest in any associated Connection Fees paid. In such case, User would need to reapply for a Connection Permit, and pay related Connection Fees, to resume using County services.
- d. Failure to Obtain Connection Permit. If a Connection Permit was required but not obtained, the Owner must pay the Connection Application Fee and the Connection Fee applicable at the time that the County became aware of the failure to obtain the Connection Permit, together with interest at twelve (12%) percent per annum from the date the Connection Permit was required, attorney's fees, and other reasonable costs of collection.

3.5 Sewer Service Lines. The Owner is responsible for all costs and expenses to design, purchase, install, connect, operate and maintain Service Lines and all related appurtenances including, but not limited to, backflow valves, water meters, sewage lifts, pretreatment devices, flow equalization devices, separators and interceptors required to provide sewer service to their property.

The Service Lines and appurtenances must be designed and constructed in accordance with the most recent edition of the International Plumbing Code, the Wyoming Public Works Standard Specifications, and the Wyoming Department of Environmental Quality Water Quality Rules and Regulations.

- a. Use of Existing Service Lines. Any existing Service Line must not be used to connect new buildings to the Sewer System unless such use is approved by the County.
- b. Burial Depth and Separation. Sewer Service Lines must be buried with a minimum of four (4) feet of cover, unless an exception is granted by the County and the sewer service line is insulated. All Service Lines less than five (5) foot of cover within streets, roads or plowed surface must be insulated with at least 2 inch thick by 2 feet wide "Blue Board" rigid insulation, or County approved equal, continuous for the full width of the road or plowed surface, whichever is greater. Sewer lines must be horizontally separated from water lines by ten (10) feet at a minimum.
- c. Sewer Elevation. If possible, the sewer must be brought to the building at an elevation below the basement floor to allow for gravity flow to the Sewer Main Line. For any building drain that is too low to allow for gravity flow to the Sewer Main Line, Wastewater carried by such building drain must be lifted at User's expense and discharged to the Sewer Main Line. Lift design and construction is subject to County approval.
- d. Backwater Valve. Where the flood level rims of plumbing fixtures are below the elevation of the manhole cover of the next upstream manhole in the sewer system, such fixtures shall be protected by a backwater valve installed in a horizontal branch of the building drain serving such fixtures. Plumbing fixtures having flood level rims above the elevation of the manhole cover of the next upstream manhole in the sewer system shall not discharge through a backwater valve.
- e. Leaks. Any leak in a Service Line must be repaired by the Owner within seventy-two (72) hours of notification of such condition, or the County has authority to shut off or disconnect the leaking line or to repair the leak and bill the User for all related expenses.
- f. Extension or Disconnection. No Service Line shall be extended or disconnected from the Main Line without approval from the County.
- g. Inspections and Approvals. The County must be notified when the following milestones are reached so the County can inspect and approve:
 - i. Pre-backfill Inspection. Prior to connecting a new Service Line to a Main Line or prior to backfilling a trench containing a Service Line with a previously approved connection to a Main Line, the County must be notified. The County will inspect the entire Service Line, its bedding and supervise making any connection to the Main Line. The trenches may be backfilled only after County approval.
 - ii. Post-backfill Inspection. After backfilling a Service Line trench, and prior to any use of a Service Line, the County must be notified. The Service Line and connections must be tested and shown to be gastight and watertight. All testing must be done in the presence of County personnel. The Service Line may be used only after County approval.

iii. Final Inspection. After completion of all project work, the County must be notified and provided an “as built” site plan showing the location of each Service Line, backwater valve, sand oil interceptor, grease interceptor, flow equalization facility, and pretreatment facility. The County will inspect the site to ensure conformance with the authorizing Connection Permit. If, in the opinion of the County, any discrepancy is found, it must be corrected to the satisfaction of the County.

3.6 Water Meters. All water delivered to any User that discharges into the Sewer System must be measured by a Town of Jackson approved Water Meter. Water used solely for fire suppression or outside water use (irrigation) may bypass the Meter. The Town of Jackson reserves the right to read, inspect, maintain, disconnect, relocate or replace any Water Meter as the Town of Jackson deems necessary.

a. Purchase. All Water meters must be purchased from the Town of Jackson. The User must submit a Water Meter Purchase Agreement which is available from the Town of Jackson Planning and Building office. Upon purchase, the Meter is the property of the Owner. Owner is responsible for installation, maintenance, and repair of the Meter and to assure that it the Meter is functioning in accordance with the Meter manufactures specifications.

b. Disconnection or Relocation. No Water Meter shall be disconnected or relocated without approval from the Town of Jackson.

c. Location. The Water Meter must be in a Town of Jackson approved location on the Water Service Line prior to any branch connection other than for fire suppression.

d. Inspection and Approval. The Town of Jackson must be notified after connecting the Water Meter to the Water Service Line. The Town of Jackson will inspect and test the Water Meter and its installation. Water use is not allowed until after Town of Jackson approval. Upon request from the Town the Owner will allow the Town access to inspect the water metering system.

3.7 Pretreatment and Flow Equalization Devices. When required in accordance with the International Plumbing Code or by the County, the following requirements apply to each pretreatment and flow equalization device:

a. Installation. Design and installation are subject to County approval.

b. Access. Sufficient access must be provided for service, maintenance and inspection.

c. Maintenance. Maintenance and service must be performed in accordance with the manufacture’s recommendations.

d. Record Keeping. Permanent records must be maintained of the date, time and description of all cleaning, maintenance and inspection activities in a bound logbook. Waste-hauler manifests showing the name of the hauler, dates of service, quantity of waste removed, and final disposal site must be kept on site for a minimum of three (3) years. The County may review and copy such records at any time.

e. Inspection. The County may inspect each device at any time.

3.8 Interceptors and Separators. When required in accordance with the International Plumbing Code or by the County, adequately sized interceptors and separators are required for commercial users. The following requirements apply to each interceptor or separator device:

a. Emulsification Prohibited. Excess grease and oil must not enter the Sewer System so the use of any type of grease or oil emulsifier or emulsification process is strictly prohibited.

b. Installation. Design and installation are subject to County approval.

c. Access. Sufficient access must be provided for service, maintenance and inspection.

d. Maintenance. Maintenance and service must be performed in accordance with the manufacture’s recommendations. The County requires all grease traps must be opened and visually inspected at least once per week, and cleaned and maintained so effluent meets County approval.

e. Record Keeping. Permanent records must be maintained of the date, time and description of all cleaning, maintenance and inspection activities in a bound logbook. Waste-hauler manifests showing the name of the hauler, dates of service, quantity of waste removed, and final disposal site must be kept on site for a minimum of three (3) years. The County may review and copy such records at any time.

f. Inspection. The County may inspect each device at any time.

3.9 Sewer Main Lines.

a. Design and Construction Standards. Sewer main lines must be designed and constructed in accordance with the most recent edition of the International Plumbing Code, the Wyoming Public Works Standard Specifications, and Wyoming Department of Environmental Quality Water Quality Rules and Regulations. The following additional restrictions apply:

- i. Sewer Mains must be PVC maximum SDR 35.
- ii. The maximum allowable infiltration/exfiltration in a Sewer Main is fifty (50) gallons per day per inch diameter per mile including manholes.

b. Process for Main Line Construction by the County. The County may construct any Main Line if the Board deems it in the best interest of the County to do so.

c. Process for Main Line Construction by an Owner. If approved by the County, an Owner may construct, at the sole expense of the Owner, sewer main lines to connect multiple users to the Adams Canyon Sewer System. The Owner must enter into a written main line agreement with the County prior to proceeding with any construction. The following items document the process for main line construction by an Owner.

- i. Letter of Intent. During the concept design of a development which requires the construction of sewer main lines, the Owner shall request the County to provide a letter expressing the County's intent to allow connecting to the Adams Canyon Sewer System. And the Owner shall request the Town of Jackson provide a "will serve" letter expressing the Town of Jackson's intent to provide wastewater treatment. The Owner's requests shall include data on the number and type of residential, commercial or individual facilities and other activities that would have an impact on Sewer System and wastewater treatment. The request letters shall include a plan indicating the proposed development of the site. The County will analyze its ability to provide sewer service to the site. This analysis will determine the adequacy of existing collection system capability and the need to increase the capacity of any existing lines, equipment, or facilities. The analysis will also determine the need to oversize lines in the development site for anticipated future service needs. After completing the review and analysis, the County will either provide a letter of intent to serve the development site, including any conditions deemed appropriate, or deny the request for service.

- ii. Location of Main Lines. Main lines should be installed in road or street rights-of-way with easements granted to the Owner of the facilities. Where main lines must cross land not in a street or road right of way the main line must be located in an easement granted to the Owner of the facilities.

- iii. Sewer Collection Lines. Sewer collection lines must be designed and constructed to provide a means of access by operating personnel using normally available equipment and necessary for maintenance, flushing, and inspection.

- iv. Over sizing of Main Lines. Based on County estimates of future growth and use of a main line, the Owner shall construct oversized main line as required by the County. The County may participate in the expense for the incremental cost of the oversized main line if the County determines that the need to oversize the main line is for the benefit of Users other than the Owner.

- v. Application for Final Approval. All Owners desiring to construct a main line connecting to the Sewer System shall submit a formal application to the County. This application must contain a legal description of the property to be served by the main line, the estimated number of service taps to be served, the type of structures, the use of the property, the easements to be conveyed, the detail construction plans and specifications for that construction, and other information required by the County.

- vi. Compliance Review. The County staff shall review the application for compliance to County, Town of Jackson, and state specifications and then submit a recommendation to the Board for consideration. If approved by the Board, two sets of documents marked "Approved by the County" will be returned to the Owner. The cost of such review for compliance shall be borne by the Owner.

vii. Deposits. Prior to the main line construction approval by the County, the Owner must deposit with the County an amount sufficient to compensate the County for engineering fees, legal fees, and other costs anticipated to be incurred by the County as a result of the application and the construction of the main line. All inspection costs conducted by any governmental agency, including the County, shall be paid by the Owner.

viii. Inspection. During the construction of the main lines, the Owner shall notify the County prior to backfill, prior to pressure testing, and prior to video inspection of sewer lines. The County will then inspect the main lines and appurtenances, and witness all tests for conformance with appropriate Regulations.

ix. Acceptance. Until the County accepts the main lines, no connections may be made to the newly constructed main lines. The County will accept the main lines after the Owner deeds the main lines and appurtenances to the County, free and clear of all liens and encumbrances, and provides the County with:

1. Legally recorded documents of all easements encompassing the main lines and all appurtenances;
2. Certification that the main lines and all appurtenances are free and clear of all liens and encumbrances;
3. A warranty bond for a one-year period from the date of acceptance to cover repair or replacement of the main lines and all appurtenances;
4. Digital field verified as-built drawings of all facilities constructed, including but not limited to, easements, sewer service locations, manholes, manhole rim and invert elevations, and lift stations;
5. Copies of inspection and testing reports;
6. A digital copy of the sewer main video inspections;
7. One set of operation and maintenance manuals for all electrical and mechanical equipment installed;
8. A certified statement by the Owner's professional engineer that, to his knowledge, all facilities were constructed in conformance with the County-approved plans and specifications;
9. A certified statement of the cost of the main lines; and
10. Copies of the Wyoming DEQ Permit to Construct and the Wyoming DEQ Certificate of Completion.

ARTICLE IV USING THE SEWER SYSTEM

4.1 Water Conservation. The County's policy is to minimize water wastage both from the standpoints of water conservation and Wastewater treatment. All new Water Service Lines must be installed so bleeding of water is not necessary to prevent freezing. Bleeding or leakage of water to prevent freezing is prohibited unless authorized in writing by the County.

4.2 Prohibited Discharges Into Sewer System. Except as provided for this section, no Person(s) shall discharge or cause to be discharged any of the following directly or indirectly to the Sewer System.

- a. Any storm water, surface water, groundwater, roof runoff, subsurface drainage, foundation drains, or cooling water, however, commercial cooling water or process waters may be discharged to a Sewer Main upon approval of the County;
- b. Any gasoline, kerosene, naphtha, fuel oil, other petroleum distillates, or other flammable or explosive liquid, solid, or gas;
- c. 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 the treatment process, interfere with any Wastewater 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 Sewer System;

d. Any waters or wastes having a pH lower than 5.5, or any other corrosive property capable of causing damage or hazard to personnel or the Sewer System;

e. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, and/or interfere with the proper operation of the Sewer System;

f. Wastewater having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65 Celsius);

g. Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, non-biodegradable cutting oils, or any product of mineral oil origin;

h. Wastewater from a commercial User containing grease and/or oil exceeding maximum allowable limits set forth by the Town of Jackson;

i. Any animal and/or vegetable waste resulting from the handling, preparation, cooking, and serving of foods that will not be carried freely under the flow conditions normally prevailing in the Sewer System or with particles greater than 1/2 inch (1.27 centimeters) in any dimension;

j. Wastewater which constitutes a Slug;

k. Waters or wastes containing substances which are not amenable to treatment or reduction by the Sewer System, or are amenable to treatment only to such degree that the Sewer System effluent exceeds the limits which may be established by the Town of Jackson;

l. Any water or wastes which, by interaction with other water or wastes in the Sewer System, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition harmful to the Sewer System;

m. Any substances containing phenol or any phenol-structured chemical compound; for instance, pentachlorophenol, 2, 4-dichlorophenol, and similar;

n. Any discharge of paints, paint residues, thinners, cleaners, wood stains, or wood preservatives;

o. Any discharge containing herbicides, pesticides, or fungicides;

p. Any discharge of chlorinated hydrocarbons and similar solvents;

q. Any waters or wastes containing ethylene glycol or other similar antifreezes;

r. Any waters or wastes containing chlorine or bromine based cleaners or disinfectants that have not been treated to neutralize to a non-toxic form;

s. Any waters, wastes, or discharges, including but not limited to all those previously listed, in amounts which cause, or could cause, the Town of Jackson to exceed any discharge standards as set forth in the Wyoming Pollution Discharge Elimination System Permit currently in effect issued to the Town of Jackson by the Wyoming Department of Environmental Quality;

t. Any waters or wastes from an Auxiliary Water Supply, including irrigation wells and groundwater heating or cooling systems.

If any of the discharges prohibited in this section are proposed to be discharged to the Sewer System, the County, at its sole discretion, may do any of the following:

aa. Refuse to accept the waste.

bb. Require a pretreatment to an acceptable condition before discharge.

cc. Require flow equalization to control the quantities and rates of discharge.

dd. Require payment to cover any related costs not covered by existing sewer fees, rates and charges.

**ARTICLE V
FEES, RATES AND CHARGES**

5.1 Fees, Rates and Charges. The Board shall have the authority to establish rates, charges and fees for the services provided by the County, which shall be applied on a fair and uniform basis. These include, but are not limited to, usage fees, connection fees, equipment fees, readiness-to-serve fees, special assessments and a mill levy. The established fees shall be published on a schedule ("Adams Canyon Sewer Fee Schedule").

5.2 Changes to Fees, Rates and Charges. The Board may review and amend the Fee Schedule and increase or decrease fees, rates and charges as the Board deems necessary to assure sufficient funds are available to provide sewer services to users of the Sewer System.

5.3 Payment Due Date. Unless otherwise agreed to in writing, all monies payable to the County are due and payable on the date the billing statement is generated. If not paid within one (1) month of billing date, the account is delinquent.

5.4 Statements. The County will furnish each User a statement of the monies due. The failure of any User to receive such statement will in no way affect any rights of the County.

5.5 Delinquent Accounts. The County may assess interest from the original date due at a rate of twelve percent (12%) per annum, reasonable attorney's fees, and other costs of collection. Notice of delinquency may be sent to the User. The failure of a User to receive such notice will in no way affect any rights of the County. Because interest is calculated from the original due date and will not be adjusted to reflect time passage due to any related appeal process, the User may want to pay the monies due in full while any related appeals process is ongoing. If the appeal is successful, associated monies paid by User will be refunded.

5.6 Property Liens. Until paid, all monies due the County, including but not limited to rates, fees, assessments and charges, shall constitute a perpetual lien on and against the property being served, and any such lien may be foreclosed in the same manner as provided by the laws of the State of Wyoming for the foreclosure of a mechanic's lien. Before any such lien is foreclosed, the County shall hold a hearing thereon after notice thereof by publication and by registered first-class mail, postage prepaid, addressed to the last known Owner at Owner's last known address according to the records of the County and the Assessment Roll of Teton County. For all fees, charges and costs incurred relating to said liens, the County will hold both the User and the Owner(s) liable, jointly and severally.

**ARTICLE VI
ENFORCEMENT**

6.1 Violation of Regulations. Each violation of these Regulations, other than for a delinquent account, may be subject to a penalty fee as specified in the Fee Schedule. Each day a violation exists may constitute a separate violation of these Regulations. Any Person in violation of these Regulations shall become liable to the County for any penalty fee, expense, loss, or damage due to the violation. The County shall be entitled to interest at twelve percent (12%) per annum, attorney's fees, and other reasonable costs of collection. The procedures for issuing a penalty fee are as follows:

a. Violation Notice. A Violation Notice will be mailed to the User. This Notice will describe the violation, any required corrective action, the penalty fee and any other monies due the County related to the violation. The failure of User to receive such notice will in no way affect any rights of the County.

b. Appeal Process. The User has the right to appeal the Violation Notice to contest the claimed violation and any associated monies due. As part of the appeal, the User has a right to a hearing before the Board at a regularly scheduled monthly Board meeting. If the User wants to appeal a Violation Notice, a notice of appeal must be sent to the Board within fifteen (15) calendar days of the Violation Notice. If the User fails to send the notice of appeal within the required timeframe, the User shall be deemed to have waived the appeal. The Violation Notice shall thereby be upheld and the User is responsible for performing any required corrective action and paying the County all monies due related to the violation.

The User must complete the appeal, including any desired hearing before the Board, within sixty (60) calendar days of the Violation Notice. If the User fails to complete the appeal process within the required timeframe, the User shall be deemed to have waived the appeal, the Violation Notice shall thereby be upheld and the User is responsible for performing any required corrective action and paying the County all monies due related to the violation.

If the appeal is not waived, the Board will review any documentation received that pertains to the appeal and, at a regularly scheduled monthly Board meeting, the User can address the Board and present any pertinent documentation. The Board will evaluate all the information and render a decision. If there is at least a "preponderance" of the evidence, i.e. "more likely than not", the Board will uphold the violation. The User will be sent notice of the Board's decision within ten (10) calendar days of the Board meeting. The failure of any User to receive such notice will in no way affect any rights of the County. If the appeal is denied, the Violation Notice shall thereby be upheld and the User is responsible for performing any required corrective action and paying the County all monies due related to the violation.

6.2 Disconnection of Sewer Service. The County may authorize shutting off or disconnecting a User's sewer service if, in the sole opinion of the County, the User has significantly violated these Regulations. The procedure for disconnecting a sewer service is:

- a. The County will make a reasonable attempt to contact the User to provide the nature of the violation, any required corrective action and the date by which the action must be completed to prevent the proposed sewer service disconnection.
- b. The County will make a reasonable attempt to post notice on the premises indicating the nature of the violation, any required corrective action and the date by which the action must be completed to prevent the proposed sewer service disconnection.
- c. If time is of the essence such as a situation or potential situation that jeopardizes health and safety, or if the User cannot be contacted, or if the required corrective action is not completed within the allotted time, the County may shut off or disconnect the User's sewer service. The sewer service must remain disconnected until the County is satisfied conditions warrant reconnecting the sewer service.

6.3 Reconnecting Sewer Service. Only the County is authorized to turn on or reconnect the sewer service. If the sewer service is reconnected without County approval, the Board may authorize permanently disconnecting the User's sewer services and the User may forfeit all interest in any Connection Fees paid relating to the disconnected fixtures. In such case, User would need to reapply for a Connection Permit, and pay associated Connection Fees, to resume using County services. For the County to turn on or reconnect the sewer service subsequent to a service disconnection, the following requirements apply:

- a. All monies payable to the County, regardless of due date, must be paid in advance of reconnecting the sewer service. This includes the fee to reconnect the sewer service.
- b. The County must be satisfied with the User's plan for any required corrective action due to a violation of these Regulations.
- c. To avoid potential flooding problems, the County will only turn on water service if the Owner or User is on site to monitor the results.

6.4 Injunctive Action. These Regulations shall be enforceable by the County by injunctive action in addition to all other legal remedies.

ARTICLE VII MISCELLANEOUS

7.1 Amendments. These Regulations may be altered, amended, repealed, or reenacted at any regular meeting of the Board or at any special meeting of the Board called for that purpose.

7.2 Repeal of Conflicting Regulations. All previous Adams Canyon Sewer System regulations or parts of regulations in conflict with these Regulations are hereby repealed.

7.3 Severability. If any part of these Regulations is determined to be invalid or unenforceable in any respect, the validity and enforceability of the remaining parts of these Regulations shall not be impaired thereby.

7.4 Entrance onto Premises and Easements. Duly authorized employees and agents of the County bearing proper credentials and identification shall be permitted to enter User Premises and properties to which the County has issued a Connection Permit for any purpose the County deems pertinent to operation of the Sewer System.

7.5 User Information Requirements. The County may require a User to provide any information as the County deems necessary to determine compliance with these Regulations.

7.6 Easements. Landscaping improvements shall be precluded from easements that are expressly designated and granted and within which sewer or water facilities have been constructed, or when said easement is the access route to County facilities. Examples of such landscape improvements that are prohibited may include but are not limited to trees, berms, bushes, rock walls, retaining walls, decks, and any landscaping or improvements that would inhibit the County's access to, maintenance, and operation of the Sewer System.

7.7 Measurements, Tests, and Analyses of Waters and Wastes. All measurements, tests, and analyses of the characteristics of waters and wastes must be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the County.

7.8 Damage to Sewer System. No Person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, make any connection without permit, or tamper with any part of the Sewer System.

7.9 Claims for Damage. The protection of water-using devices and systems which require limited or sustained water pressure or a continual water supply is the responsibility of the owner thereof, and owner shall provide suitable protective devices for such apparatus at owner's expense. No claim for damages or refunds shall be made against the County by reason of the following:

- a. Turning water off, or turning water on;
- b. Excessive, inadequate or erratic water pressure;
- c. Water escaping from open or defective faucets or valves;
- d. Burst service lines or other facilities not owned by the County; or
- e. Sewage backup or overflow.

**ARTICLE VIII
RESOLUTION IN FORCE**

8.1 Effective Date. In accordance with Wyoming Statute this Resolution adopts these Regulations which shall be in full force and effect from and after its passage.

8.2 Adoption. Passed and adopted by the Teton County Board of Commissioners, Teton County, State of Wyoming, on the 19 day of January 2016.

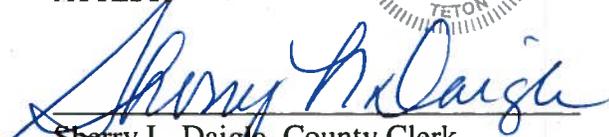
Approved this 19 day of January, 2016.

**TETON COUNTY, WY
BOARD OF COUNTY COMMISSIONERS**

By:  _____
Barbara Allen / Chair



ATTEST:


Sherry L. Daigle, County Clerk