

Title 8

UTILITIES AND SERVICES

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I. WATER SYSTEM

Chapter 8.04

DEFINITIONS

Sections:

ARTICLE I. DEFINITIONS

8.04.010 Generally.

8.04.010 Generally. For the purposes of this Chapter, certain terms and works are defined and shall have the meanings ascribed to them in this Chapter unless otherwise more specifically defined or it is apparent from the context that a different meaning is intended.

A. Availability Fee. "Availability Fee" means the minimum monthly service fee the Town will charge the owner of every recreational vehicle park or camper/trailer park, multi-family building or mobile home park that is unmetered or on a master meter, based upon the number of platted or licensed spaces in such a park or the number of constructed units in a multi-family building, irrespective of whether each such space or unit is occupied. (Ord. 114, §1, 2007)

B. Director. "Director" means the Director of Public Works of the Town, or his authorized deputy, agent, or representative, or other person designated by the Town Council to administer this Chapter.

C. Person. "Person" means an individual, firm, company, association, society, corporation or group.

D. Plant Investment Fee. "Plant investment fee" means tap fee, and the terms, may be used interchangeably.

E. Service Area. "Service area" means that corporate limits of the Town of Dinosaur, the boundaries and limits of water district served by the Town's water system, if any, and any extension of the water system to serve structures or improvements in unincorporated areas which is approved by the Town Council.

F. Shall. "Shall" is mandatory, "may" is permissive.

G. Town. "Town" means the Town of Dinosaur, Colorado.

H. Water Main. "Water main" means a water line in which all owners of abutting properties have equal rights, and is controlled by the Town.

I. Water Service Line. "Water service line" means that part of the water system from the distribution main to any premises.

J. Water System. "Water system" means all facilities for appropriating, transporting, storing, pumping, treating and dispersing of water, whether privately or publicly owned.

K. Waterworks. "Waterworks" means all of the water system owned and operated by the Town.

(Ord. 82, Part 1, §§1.1 to 1.11, 1994)

Chapter 8.06

WATER SYSTEM-GENERALLY

Sections:

- 8.06.010 Operation and Control.
- 8.06.020 Creation of Water Department.
- 8.06.030 Water Fund.
- 8.06.040 Public Works Director.
- 8.06.050 Use and Repair of Fire Hydrants.
- 8.06.060 Vacant Buildings-Shutting off Water.
- 8.06.070 Removal of Corporation Stop, Curb, Stop, Curb Box or Meter.
- 8.06.080 Specifications for Material-Manner of Construction.

8.06.010 Operation and Control. The operation and management of the water system and service area shall be under the control of the Town Council, who shall direct the construction of additions thereto, and the maintenance and operation thereof, and in all cases, not particularly provided for by this Chapter or other provisions contained in Town ordinances, shall determine in what manner and upon what terms water may be taken from the water system by an property owner or water consumer and the character of the connections and appliances which may be made or used therefor. The Town Council shall perform all acts that may be necessary for the prudent, efficient, and economical management and protection of the water system. The Council shall have the power to prescribe such other further rules, rates, and regulations and shall have such other power and authority as authorized by law.

8.06.020 Creation of Water Department. There is hereby created and established a water department of the Town of Dinosaur for the purpose of the management, maintenance, care and operation of the waterworks of the Town. The Town Council may appoint a Public Works Director, or other person, to supervise the day to day activities of the water department, under the authority and supervision of the Town Council. (Ord. 65, §1, 1983; Amended Ord. 82, Part 2, §2.2, 1994)

8.06.030 Water Fund. The Town Council hereby authorizes the establishment of a water fund and shall, from time to time, appropriate sufficient monies for such fund, to be used for the purposes of operating and maintaining the Town's water department and water system. The Town Clerk shall prepare statements for water charges and collect the same. The Town Clerk shall keep a correct accounting of all receipts of water fees and charges and have such monies deposited in the credit of the water fund. To the extent permitted by law, such fund shall be deemed to be an enterprise fund.

8.06.040 Public Works Director. A. The Director, or other person designated by the Town Council, shall, under the direction of the Town Council, have charge of all facilities of

the water system, and it shall be his duty to supervise the water system, and maintain and control the same as directed by the Town Council and as provided in this Chapter.

B. The Director shall have control of the laying of all water lines. The Director shall have the general supervision of the installation of all taps, and water service lines or other connections with the water system and the regulation of the water supply to all consumers of water. He/she shall also have the charge of and be responsible for all the tools, machinery, pipes, meters, fixtures, plumbing material, and all other apparatus and appliances owned by the Town or used by it in the maintenance and operation of the water system, and shall keep account of all such material and the manner in which the same is used, kept or disposed of.

8.06.050 Use and Repair of Fire Hydrants. A. It shall be the duty of the Director to keep all fire hydrants in good repair and to test the same periodically to see if the same are in order, and he/she may let out water from the hydrants, whenever it is necessary for testing of the condition of the water system, or for purifying water, or for the repairing of the water system, or for watering the trees in extreme need.

B. The Public Works Director may grant permission to any person employed by the Town to sprinkle the streets, or to any other person he/she may authorize to draw water from the fire hydrants.

C. The members of the Fire Department under the orders of the Fire Chief, or other officer in charge, shall at all times have free access to the fire hydrants in case of fire and for the purpose of training, cleaning, washing, or testing their pumping equipment or other apparatus.

D. It is unlawful for any person not authorized by the Town to open or operate any fire hydrant or draw water therefrom, or obstruct the approach thereto.

8.06.060 Vacant Buildings-Shutting Off Water. Whenever any building or premises is vacated, it shall be the duty of the owner or owners, or agents thereof, to notify the Director or Town Clerk of such fact, so that water may be shut off; and all such buildings and premises shall be deemed to be occupied and water charges collected thereon unless such notice has been given.

8.06.070 Removal of Corporation Stop, Curb Stop, Curb Box or Meter. In case any owner of the premises on which water is used ceases to use water, and desires to disconnect his/her premises, he shall not be permitted to remove the corporation stop, curb stop, curb box or meter and appurtenances. Such devices are the property of the Town and may be removed only by the order of the Director.

8.06.080 Specifications for Material-Manner of Construction. Specifications for all labor, materials and equipment, manner of construction, and services required for the installation of all water distribution systems and service lines shall be as directed by the Public Works Director or Town Council.

(Ord. 84, Part 2, §§2.1 to 2.8, 1994)

Chapter 8.08

WATER WORKS SYSTEM-CONSTRUCTION-GENERAL PROVISIONS

Sections:

- 8.08.010 Water Main Extensions.
- 8.08.020 Construction-Road Cut Permit-Required When.
- 8.08.030 Protection of Rivers and Streams.
- 8.08.040 Construction-Plans-Information Required.
- 8.08.050 Acceptance of Facilities for Maintenance-Standards and Procedures.
- 8.08.060 Construction-Suspension of Work.
- 8.08.070 Revegetation.
- 8.08.080 Access to Work.

8.08.010 Water Main Extensions. All construction, extension or enlargement of distribution mains to supply and distribute water to and throughout areas or additions shall be extended by the owner or developer of premises to be served by such lines from the existing distribution main to the point or points on the property line farthest from the existing distribution main. Application for said extension shall be made in writing and shall require the written consent of the Town Council. Such application shall include a map or plat of the right-of-way and map of such proposed extension or enlargement prepared by a licensed land surveyor or civil engineer. All such extensions or enlargements shall be constructed by the prospective owner or developer in accordance with the Town specifications. The sole cost and expense of such extensions or enlargements shall be the expense of the applicant unless otherwise specified in writing by the Town Council.

8.08.020 Construction-Road Cut Permit-Required When. Prior to any excavation or trenching in dedicated Town streets or rights-of-way, a road cut permit shall be obtained from the Town of Dinosaur in compliance with all ordinances and regulations.

8.08.030 Protection of Rivers and Streams. Any river or major stream crossed by a waterline shall be fully encased with concrete and reinforced. The minimum dimension between the low point of the channel and the top of the concrete shall be one foot (1'). Each crossing will be considered on an individual basis and all design work shall be done by a competent, registered engineer.

8.08.040 Construction-Plans-Information Required. As a condition for final approval and acceptance for maintenance of facilities by the Town, the applicant shall have a complete and accurate set of as-built drawings prepared by a competent, registered, surveyor or engineer. Such as-built drawings shall contain all information required by the Town.

8.08.050 Acceptance of Facilities for Maintenance-Standards and Procedures.

There are several steps leading to the final approval and acceptance for maintenance of any water facility:

- A. Periodic construction inspection by the Public Works Director or his staff;
- B. Testing and approval of lines;
- C. Formal request for preliminary acceptance by applicant;
- D. Inspection and approval by the Public Works Director or his/her representative including:
 - 1. Valves-operation and straightness,
 - 2. Hydrants-operation of hydrant and drainback valve,
 - 3. All other equipment-inspection for suitability and operation on an individual basis and as a functioning part of the system;
- E. Inspection and approval of roads, shoulders, ditches, driveways and general cleanup by the Town Public Works Director;
- F. Formal preliminary acceptance and partial release of any performance guarantee required by the Town Council;
- G. Mandatory one (1) year guaranty period during which the applicant assumes the responsibility and costs of all maintenance and repair;
- H. Formal final acceptance and full release of the performance guarantee by the Town Council contingent upon any and all repairs deemed necessary by the Public Works Director to facilities or roads being completed in a satisfactory manner;
- I. At this point the Town assumes full responsibility for maintenance and repair except materials and equipment under any express guarantee by the manufacturer.

8.08.060 Construction-Suspension of Work. The Public Works Director may at any time suspend a contractor's operations when the conditions of Town specifications are not met or when an unsafe working condition prevails.

8.08.070 Revegetation. Any work in rights-of-way or green areas owned or authorized for use by the public that disturbs or destroys the natural or existing environment shall include revegetation to be done to the satisfaction of the Public Works Director.

8.08.080 Access to Work. The Public Works Director or other employees of the Town shall have access to all work being performed on water facilities within the Town's service area.

(Ord. 84, Part 3, §§3.1 to 3.8, 1994)

Chapter 8.12

WATER SERVICE-REGULATIONS FOR CONNECTION, INSPECTION

Sections:

- 8.12.010 Plant Investment Fees Required.
- 8.12.020 Water Service Regulations for Connection.
- 8.12.030 Connection to Municipal Water Utility.
- 8.12.040 Plant Investment Fee-Building Permits.
- 8.12.050 In Town Plant Investment Fees.
- 8.12.060 Out of Town Plant Investment Fees.
- 8.12.070 Additional Service.
- 8.12.080 Water Main and Service Line Extensions.
- 8.12.090 Acceptance of Facilities for Maintenance, Standards and Procedures.
- 8.12.100 Separate Connections Required-New.
- 8.12.110 Requirements-Property with Single Service to be Further Subdivided.
- 8.12.120 Use During Fire Alarms.
- 8.12.130 Repair-Extension of Service.
- 8.12.140 Turning Water on and Off-Unlawful.

8.12.010 Plant Investment Fees Required. No service line installation, water tap or other connection with the water lines of the Town of Dinosaur water system shall be made without approval of the Director and until all applicable plant investment fees have been paid and a permit has been issued pursuant to this Chapter. It is unlawful for any person to make any connection to the water system contrary to the provisions of this Chapter or any ordinance of the Town. Said criminal offense shall be one of "strict liability."

8.12.020 Water Service Regulations for Connection. A. Application for water service, where both the tap and all points of consumption are within the corporate limits of the Town, shall be made as provided for in this Chapter.

B. Extension of water service, where the tap or any point of consumption is outside the corporate limits of the Town, shall be made pursuant to an agreement with the Town. The Town shall not be obligated to extend water service outside the corporate limits of the Town, and may grant water service only when it determines that no conflict exists between the best interests of the Town and the prospective water use. The Town may impose such contract and performance guarantee requirements as it deems necessary to safeguard the best interests of the Town, as a condition of water service, including consent of annexation of the property to the Town.

C. An application for the use of water shall be made to the Town Clerk for a permit to tap the water mains of the Town water system. If granted, such permit shall be signed by the Town Clerk and shall set forth the type of usage of the person or property for whose benefit such

permit is granted, the size of the tap for the discharge of the water from the mains to the service lines, the type of establishment to be served, and the lot and block number of the property to be served. Applications must be made by the owner of the property to be served, or his duly authorized representative.

D. Application shall be required and plant investment fees shall be assessed, for any new or expanded use of water following enactment of this Chapter, if such new or expanded use requires a new or enlarged tap.

8.12.030 Connection to Municipal Water Utility. All buildings within the Town's limits that contain water supply facilities shall be connected to the Town's water system, unless otherwise determined by the Town Council. Following adoption of this Chapter, no more than one (1) single family dwelling; or one (1) building containing multiple dwellings other than condominiums; or one (1) building containing offices, businesses, or transient units shall be permitted to use a single water service line (tap) with the exception of campgrounds, mobile home parks, and school facilities. One tap may serve a campground or recreational vehicle park having multiple users. One tap may serve a mobile home park, exclusive of any recreational vehicle uses, having multiple users. One tap may serve multiple buildings used for school purposes.

8.12.040 Plant Investment Fee-Building Permits. A. No tap shall be issued nor any tap commitment approved, except pursuant to subsections (B) or (C) or this Section, unless the tap commitment is approved and the fee therefor paid, or the tap is issued and paid for prior to making tap.

B. At the time of application for any building permit, for any use which will use Town water service, the owner or authorized representative shall make application to the Town Clerk and to the Public Works Director for water service to the property for which the building permit is issued. Application shall be made on such forms as the Town Council may prescribe. The plant investment fee shall be assessed at the rate applicable under this Chapter and shall be due and payable prior to connection and prior to the extension of water service to the applicant. Any approved tap application shall be voided unless the tap is installed for which application is made within one (1) year of the date of the issuance of the permit. In the event the tap has not been installed within such period, the application and permit shall be voided, and the plant investment fee shall not be refunded.

C. In the event an application is made for a building permit issued by another entity, the owner or authorized representative of the property for which water service is sought, shall make application to the Town Clerk and to the Public Works Director for water service to the property for which the building permit is sought. Application shall be made on such forms as the Town Council may prescribe. The plant investment fee shall be assessed at the rate applicable under this Chapter and shall be paid in full before any tap is made.

D. Any commitment by the Town to extend water service shall not be transferred to any property other than that for which the commitment was made and permit issued.

8.12.050 In Town Plant Investment Fees. Effective July 1, 2008, all persons within the corporate limits of the Town of Dinosaur who desire to use water from the Town’s water system shall pay a plant investment fee in accordance with the following schedule in order to obtain a tap permit:

| <u>TAP SIZE (IN INCHES)</u> | <u>PLANT INVESTMENT FEE</u> |
|-----------------------------|-----------------------------|
| 3/4 | \$1,700.00 |
| 1 | \$2,300.00 |
| 1 ½ | \$2,900.00 |
| 2 | \$3,300.00 |

The above fee shall include the cost of all labor and materials for the Town of Dinosaur to install one (1) tap from the water main distribution line to the applicant’s property line, including water meter. (Ord. 82, Part 4, §4.5, 1994; Amended Ord. 118, §1, May 13, 2008)

8.12.060 Out of Town Plant Investment Fees. All persons outside the corporate limits of the Town of Dinosaur, desiring to use water from the Town water system shall pay a plant investment fee in accordance with the following schedule in order to obtain a tap permit:

| <u>TAP SIZE (In Inches)</u> | <u>PLANT INVESTMENT FEES</u> |
|-----------------------------|------------------------------|
| ¾ | \$2,100.00 |
| 1 | \$3,000.00 |
| 1 ½ | \$3,900.00 |
| 2 | \$4,800.00 |

The above fee for taps outside the Town limits does not include costs for extending the main distribution line, water meter, box, valves, fitting and other materials that may be required. All water mains and water service lines extended beyond Town limits shall be constructed in accordance with Town specifications and shall be subject to inspection by the Town. The Town Council may require consent to annexation by the applicant, and a water service agreement as a condition of approval of an application for an out of Town tap. (Ord. 82, Part 4, §4.6, 1994; Amended Ord. 118, §1, September 23, 2008)

8.12.070 Additional Service. A. An existing tap shall not be subject to additional service or change in use without permission therefor from the Town. The Public Works Director shall have the power to grant or deny such permission. A party may appeal the decision of the Public Works Director to the Town Council. Permission may be subject to conditions necessary in the interest of the Town water supply system, including a requirement that a larger tap be installed.

B. Any additional service or change in use that requires an enlarged tap shall be subject to the payment of a supplemental plant investment fee. The additional plant investment fee shall be the difference between the amount previously paid for a tap and the plant investment fee for a new enlarged tap.

8.12.080 Water Main and Service Line Extensions.

A. All construction, extension or enlargement of distribution mains to supply and distribute water to and throughout areas or additions and all service lines shall be extended by the owner or developer of premises to be served by such lines from the existing distribution main to the point or points of the property farthest from the existing distribution main. Application for said extension shall be made in writing and shall require the written consent of the Town Council. Such application shall include a map or plat of the right-of-way and a map of the proposed extension or enlargement prepared by a licensed land surveyor or civil engineer. All such extensions and enlargements shall be constructed by the prospective water user in accordance with the Town's specifications contained in this Chapter. The Town shall supply the water meter and tap saddle as required at no cost. All connections to existing water distribution mains shall be performed by a licensed plumber. The cost and expense of such extensions and enlargements shall be at the sole expense of the applicant, except for the meter and tap saddle, unless otherwise specified in writing by the Town Council. Prior to any excavation or trenching in dedicated Town streets or rights-of-way, a road cut permit shall be obtained from the Town.

B. As a condition to final approval and acceptance of water main extensions or service lines, the owner shall have a complete and accurate set of as-built drawings prepared by a registered land surveyor. These as-builts shall contain at least the following information:

1. Line locations (plan view) to scale showing true horizontal dimensions and deflection angles shown in relation to rights-of-way or easement boundaries;
2. Line profile with actual length, size of pipe, percent gradient and accurate grade or road profiles;
3. Accurate three point ties and locations for all hydrants, valves, and curb stops;
4. Accurate descriptions of all materials and appurtenances used for construction of the water system improvements;
5. Location of all other utilities and services encountered during construction; and
6. Any additional data deemed necessary by the Town.

(Ord. 82, Part 4, §4.8, 1994; Amended Ord. 1, §1, 2019)

8.12.090 Acceptance of Facilities for Maintenance, Standards and Procedures.

A. There are several steps leading to the final approval and acceptance for maintenance of any water facility:

1. Periodic construction inspections by the Town;
2. Testing and approval of lines;
3. Formal request for preliminary acceptance;
4. Inspection and approval by the Town or its representative including:
 - a. Valves;
 - b. Operation and straightness to hydrants (if applicable);
 - c. Operation of hydrant and drain back valve (if applicable);
 - d. All other equipment inspected for suitability and operation on an individual basis and as a functioning part of the system;
5. Inspection and approval of any disturbed roads, shoulders, ditches, driveways and general cleanup by the Town;
6. Formal preliminary acceptance and the release of any required performance guarantee by the Town Council;
7. Mandatory one (1) year guarantee period during which the owner assumes responsibility and costs of all maintenance and repair of newly installed water facilities;
8. Formal final acceptance and release of any performance guarantee required by the Town Council conditioned upon any and all repairs deemed necessary by the Town being completed in a satisfactory manner;
9. At this point the Town assumes full responsibility for maintenance and repair except for service lines extending beyond the curb stop.

B. The Town shall not be responsible for the maintenance, repair or replacement of service lines and fixtures. All owners at their sole expense must keep service lines from the property line to any buildings and all other appurtenant facilities in good working order and

properly protected from frost and other disturbances. No claim shall be made against the Town on account of the breaking of service lines and related apparatus or for failure in the supply of water. No reduction in rates will be made for any time that service lines or fixtures may be frozen. (Ord. 82, Part 4, §4.9, 1994; Amended Ord. 1, §2, 2019)

8.12.100 Separate Connections Required-New. Any individually owned property or properties intended for further subdivision must be furnished with separate outside service connections, curb stops and meters. Curb stops shall be located in a location such that water can easily be turned off and on.

8.12.110 Requirements-Property with Single Service to be Further Subdivided. Any existing property that has an individual service line and is filing an application for further subdivision is subject to additional requirements. If feasible, separate connections, curb stops and meters with appropriate easements will be required to be installed as a condition of subdivision. If separate connections are not feasible, the Town and owner of the property to be subdivided shall enter into an agreement whereby all subsequent owners shall be individually and collectively responsible for metered service.

8.12.120 Use During Fire Alarm. During all alarms of fire, the use of hoses and all outlets where a constant flow of water is maintained is strictly forbidden.

8.12.130 Repair-Extension of Service. The Town reserves the right to shut off its mains for the purpose of making repairs or extensions or for any other purpose. No claim shall be made against the Town for any damage that may result from shutting off the water for repairing and re-laying main lines, hydrants or other connections or for lack of water service during the period of time in which the water system is shut off.

8.12.140 Turning Water On and off-Unlawful. It is unlawful for any person to turn on or off water from the curb stop of a building supply. Said offense shall be deemed one of "strict liability." Such operating of the curb stop shall only be done by the Public Works Director or authorized representative.

(Ord. 84, Part 4, §§ 4.1 to 4.14, 1994)

Chapter 8.16

WATER METERS

Sections:

- 8.16.010 Metered Service.
- 8.16.020 Meter Location.
- 8.16.030 Number of Meters.
- 8.16.040 Meter Testing-Fees and Costs.
- 8.16.050 Reading of Meters.
- 8.16.060 Estimated Charges.
- 8.16.070 Right of Entry.
- 8.16.080 Tampering with Meters and Other Facilities.

8.16.010 Metered Service. All water service within or outside the corporate limits of the Town shall be metered. The cost for the initial water meter and installation thereof shall be included in the plant investment fee paid. Water meters installed or used in connection with the Town water system shall be and remain the property of the Town of Dinosaur. The Town will perform all replacements and removals for the purpose of inspection, adjustment or other purpose necessary for the operation of the system.

8.16.020 Meter Location. Except as otherwise authorized by the Town, all water meters shall be located and installed inside the boundary line of the subject property in a frost free box. Water meters shall be easily accessible from a public alley, street, easement, or other public right-of-way. In the event a water meter is located inside a fenced area, such fence shall contain an unlocked gate within ten feet (10') of the water meter. The precise location of water meters shall be subject to approval of the Public Works Director or other person designated by the Town Council.

8.16.030 Number of Meters. One (1) meter shall be installed on each water service line through which water is withdrawn from the main distribution line. If a property consists of multi-family dwellings other than condominiums, or business and commercial rental units, each building on the property may be served through one (1) service line and one (1) master meter, as further described in Section 8.12.030. If school structures are located upon one (1) tract of land, the entire premises may be served through one (1) service line and one (1) master meter.

8.16.040 Meter Testing-Fees and Costs. A. Any consumer who feels his water meter is not in proper working order may call for an inspection and test of such water meter. If the meter is found to be damaged, because of the fault of the consumer, the Town will bear the costs of materials and labor to repair said meter at no cost to the consumer, one (1) time. The Town shall notify the consumer, in writing, of the cause of the damage and the procedure necessary to prevent the recurrence thereof. After the first such repair or replacement, the consumer shall be liable for the expense of subsequent meter damage resulting from the same

cause. If the meter is found to be defective without fault of the consumer, the Town will pay all costs for repair or replacement.

B. If the meter is found not be defective, after inspection, the consumer will be assessed all costs incurred by the Town for inspection and testing of the meter, which sum shall be added to the water bill and collected as a part thereof.

8.16.050 Reading Meters. All water meters shall be read, when practicable, once a month and a proper record of the water consumption through such meter shall be kept by the Town Clerk. Failure to read such meter shall not be deemed to be a waiver of any obligation of any payment of water service charges by the owner or occupant of the property. (Meters will be read the last day of each month, if the last day falls on a weekend it will be read on the Friday before.) (Ord. 84, Part 5, §5.5, 1994; Amended Ord. 118, §2, 2008)

8.16.060 Estimated Charges. If a water meter is broken or defective, or for any other reason does not correctly measure and record all the water used on any premises, or where the proper reading is not reported to the Town Clerk, or if a Town employee is unable to read the meter for any reason, the charge for water used on such premises during the applicable period shall be estimated according to the average quantity of water used during a similar period when the meter was read and was in working order.

8.16.070 Right of Entry. Employees of the Town shall have the right to enter upon and return from property upon which a water meter is located at any time during reasonable working hours for the purpose of reading, inspecting, testing, repairing, adjusting, relocating, removing or replacing the water meter. If a dog or other pet located on the property interferes in any way with such reading, inspecting, or service, the owner or occupant of the premises shall immediately remove or restrain the animal upon request from a Town employee. Any person who fails to remove or restrain the dog or other animal upon request from the Town shall be guilty of a criminal offense.

8.16.080 Tampering with Meters and Other Facilities. It is unlawful for any person to deface, injure, loosen or take apart, or otherwise tamper with any water meter, or water shutoff valve or water line, or to attempt in any other manner whatsoever to interfere with the correct recording by such meter of the total amount of water furnished to the premises. Any person who tampers with a Town water meter shall be deemed guilty of a criminal offense and water service may be terminated by the Town.

(Ord. 82, Part 5, §§5.1 to 5.8, 1994)

Chapter 8.20

WATER SERVICE

Sections:

- 8.20.010 Water Account in Name of Owner.
- 8.20.020 Voluntary Discontinuance of Service.
- 8.20.030 Temporary Shut Off.
- 8.20.040 Water Bills-Payment-Penalty.
- 8.20.050 Involuntary Termination of Service.
- 8.20.060 Unlawful Use of Water.
- 8.20.070 Water Conservation.

8.20.010 Water Account in Name of Owner. A. All charges for water service shall be the responsibility of the owner of the property served, based on records of the Moffat County Assessor, including governmental entities other than the Town of Dinosaur, and all non-profit organizations. Payment shall be made for water service by the owner or his legally authorized agent.

B. Water accounts may be established in the name of a non-owner following application to the Town Clerk and approval by the Town. In the event that a non-owner proves to be repeatedly delinquent in the payment of water service charges, the Town may require that the account be transferred back to the owner of the property served. Nothing contained in this Chapter shall relieve the owner of the ultimate responsibility for payment of water charges or to remedies of collection set forth in this Chapter.

8.20.020 Voluntary Discontinuance of Service. Any consumer who desires to discontinue water service shall notify the Town Clerk and pay all current and delinquent charges, if any, for water used to the date of termination.

8.20.030 Temporary Shut Off. Any consumer who desires temporary discontinuance of water service may be charged a fee of ten dollars (\$10.00) for turning off the water supply and ten dollars (\$10.00) for restoring water service, for a total of twenty dollars (\$20.00) per cycle.

8.20.040 Water Bills-Payment-Penalty. A. All water service usage charges shall be billed monthly, on or about the fifth (5th) day of each month. Said charges shall be due and payable on or before the twenty-fifth (25th) day of each month, unless a different date due is shown on such statement. Payment for service shall be for use during the preceding billing period. Unless otherwise provided in this Chapter, all other payments due under this Chapter shall be paid no later than twenty (20) days following the date a statement is issued by the Town.

B. If any payments required under this Chapter are not made by the date said payments are due and payable, the water supply may be discontinued and turned off by the Town as provided in Section 8.20.050 below.

8.20.050 Involuntary Termination of Service. A. The Town shall have the right to refuse to furnish water service to any premises until all delinquent charges, costs and fees are paid. Change in ownership or occupancy shall not affect the application of this Section and may be enforced against the subsequent tenant, owner, or occupant thereof. This Section shall be applicable to all water users within or without the corporate limits of the Town.

B. In the event any consumer fails or refuses to pay any charges or penalties for water service within thirty (30) days following the date of billing, or fails to comply with any other provisions of this Chapter, the Town may shut off the water to the premises served and terminate water service. Prior to such termination, the Town shall attempt to provide the customer with a notice stating the reasons for the shut off and the date upon which water service will be terminated unless the charges are paid or other specified violation is corrected. Such notice shall further advise the consumer that he is entitled to an informal hearing before the Town Council for the purpose of resolving any dispute concerning the amount due or the violations specified. Such notice may be personally served upon the consumer at his last known address or the notice may be deposited in the United States Mail, addressed to the consumer at his last known address. The Town may send such notice by United States certified mail, return receipt requested. If the Town elects to do so, the cost of such certified mailing shall be charged to the consumer. The termination date contained in the notice shall be at least seven (7) days following the date of deposit of the notice in the United States mail, or the date upon which personal service is made. In the event the consumer requests such hearing, the hearing shall be scheduled as soon as possible by the Town Council. If the Town Council, following hearing, determines the matter adverse to the consumer, service may be terminated immediately or on the date specified in the notice of shut off, whichever is later. (Ord. 82, Part 6, §6.5, 1994; Amended Ord. 118, §3, 2008)

C. If water service is terminated by the Town pursuant to this Section, service shall not be restored until all past due charges, or other applicable charges which have been billed are paid.

8.20.060 Unlawful Use of Water. It is unlawful for any person to use or take water from the Town's waterworks without a permit to do so, or to make any fraudulent representations for the purpose of obtaining water, or for any person to take or use water from the waterworks for a different purpose or purposes than provided in the customer's permit.

8.20.070 Water Conservation. A. Consumers shall prevent unnecessary waste of water and keep all water outlets closed when not in actual use. Hydrants, urinals, water closets, bath tubs and other fixtures shall not be left running for any purpose other than the use for which they are intended.

B. In order to protect the general public health, safety and welfare, the Town Council may, by resolution, place any restrictions which it deems necessary upon the use of water for irrigation or sprinkling purposes.

C. It shall be unlawful for any person to waste water or violate a conservation order issued by the Town Council. Said offense shall be deemed to be one of "strict liability". Upon conviction, such person shall be subject to the following penalties:

In One Year

| | |
|----------------|--|
| First offense | \$25.00 |
| Second offense | \$50.00 |
| Third offense | \$50.00 - \$300.00 and termination of water service. |

Prior to issuance of a Summons and Complaint by the Town Marshal for violation of this Section, the consumer shall be given a warning in writing as to the nature of the violation and the measures necessary to correct the stated violation. If corrective measures have not been taken within three (3) days following receipt of such notice, a citation shall be issued.

(Ord. 82, Part 6, §§ 6.1 to 6.7, 1994)

Chapter 8.24

WATER SERVICE RATES

Sections:

- 8.24.010 Monthly Service.
- 8.24.020 Resale or Transfer of Water Prohibited.
- 8.24.030 Changes to Water Rates.

8.24.010 Monthly Service. A. All rates and charges for municipal water service shall be billed on a monthly basis. There shall be no reduction in rates or charges, or any rebates thereof, for use for less than the full monthly period, except for rates charged users making new connections to the Town’s water system, which rates shall be pro-rated on the basis of the number of days remaining in the billing period in which the new connection is made. Payment for water service shall be for use during the preceding monthly billing period.

B. Beginning on the first day of January, 2015 and on the first day of the month thereafter, the following water rates shall be assessed and charged:

- 1. In Town Service. The following monthly rates shall apply to all water used and measured by water meters within the corporate limits of the Town of Dinosaur.

| For the first 6,000 gallons or less of water | |
|---|--|
| Residential Unit | \$29.58 |
| Commercial Units | \$33.34 |
| Motel and Laundry | \$33.34 |
| Schools | \$38.31 |
| Duplex | \$88.74 |
| RV Park (Master Meter) | \$33.34 |
| | Plus an additional \$1.53 per 1,000 gallons. |

(Ord. 82, Part 7, §7.1, 1994; Amended Ord. 114, §3, 2007; Amended Ord. 118, §4, 2008; Amended Ord. 2015-3, §1, 2015; Amended Ord. 3, §1, 2018)

- 2. Out of Town Service. The following monthly rates shall apply to all water used and measured by water meters outside the corporate limits of the Town of Dinosaur.

| | |
|---|--|
| For the first 6,000 gallons or less of water | |
| | |
| Out of Town | \$33.52 |
| | |
| | Plus an additional \$2.73 per 1,000 gallons. |

(Ord. 82, Part 7, §7.1, 1994; Amended Ord. 114, §3, 2007; Amended Ord. 118, §4, 2008; Amended Ord. 2015-3, §1, 2015)

3. Automatic Adjustment of Water Service Rates Effective September 1, 2008. On September 1 of each year, commencing on September 1, 2008, existing monthly rates for all water system users shall be adjusted annually for inflation based on the Consumer Price Index, All Items, for all Urban Consumers, Western Region, Size B/C, published on a monthly basis by the United States Department of Labor (Bureau of Labor Statistics) “(CPI-U)”. Such adjustments based on the CPI-U shall not require any further action by the Town Council. Provided, however, the Town Clerk shall prepare a new schedule of water service rates on the charges each year, to commence on September 1, based upon the change in the CPI-U. (Ord. 83, Part 7, §7.1, 1994; Amended Ord. 105, 2002; Amended Ord. 114, §3, 2007; Amended Ord. 118, §4, 2008)

4. Bulk Water Service. Persons may purchase water sold in bulk on a temporary basis only, upon prior approval of the Town Council. Bulk water users shall pay the following charges:

\$14.00 per 1,000 gallons or part thereof.

(Ord. 83, Part 7, §7.1, 1994; Amended Ord. 105, 2002; Amended Ord. 114, §3, 2007; Amended Ord. 118, §4, 2008)

8.24.020 Resale or Transfer of Water Prohibited. Water supplied by the Town of Dinosaur shall only be used on the property upon which the water meter is located, or for the watering of not more than five (5) horses or livestock off the property upon which the meter is located, or by the owner of such property for the purposes stated on the application for a water tap. The resale or transfer of Town water from the owner or occupant of the premises to others is expressly prohibited. (Ord. 83, Part 7, §7.2, 1994)

8.24.030 Change in Water Rates. Except for automatic adjustments as provided in subsection (B)(3) of Section 8.24.010 above, changes in any of the water schedules contained herein shall be by ordinance or resolution enacted by the Town Council, and notice of such changes shall be published in a newspaper of general circulation in the County so as to inform all residents of the Town of such changes. The Town Clerk shall keep available at all times for public inspection by interested persons, schedules of water rates for water used within and without the

corporate limits of the Town. Copies of schedules of water rates shall be furnished to interested persons by the Town Clerk upon request and without charge. (Ord. 83, Part 7, §7.3, 1994)

Chapter 8.28

CROSS CONNECTION AND BACKFLOW CONTROL

Sections:

- 8.28.010 Purpose.
- 8.28.020 Definitions.
- 8.28.030 Requirements.
- 8.28.040 Existing Cross-Connections.
- 8.28.050 Specific System Requirements.
- 8.28.060 Violations and Penalties.

8.28.010 Purpose.

The purpose of this Chapter is promotion of the health, safety and welfare of the present and future inhabitants of the Town, including:

- A. To protect the public water systems from the possibility of contamination or pollution by isolating within its customers' internal distribution system(s) or its customers' private water system(s) such contaminants or pollutants which could backflow or back-siphon into the public water systems.
- B. To promote the elimination or control of existing cross-connections, actual or potential, between its customers' in-plant potable water system(s) and non-potable water systems, plumbing fixtures and industrial piping systems.
- C. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the potable water system.

(Ord. 2, §1, 2019)

8.28.020 Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Approved means accepted by an agency, as herein provided, as meeting the applicable specification stated or cited in this Chapter, or as suitable for the proposed use.

Auxiliary water supply means any water supply on or available to the premises other than the Town's approved public potable water supply. These auxiliary waters may include water from

another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or used waters or industrial fluids. These waters may be polluted or contaminated or may be objectionable and constitute an unacceptable water source over which the Town does not have sanitary control.

Backflow preventer means a device or means designed to prevent backflow or back-siphonage.

Air-gap means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel; and in no case less than one inch (1"). When an air-gap is used at the service connection to prevent the contamination or pollution of the public potable water system, an emergency bypass shall be installed around the air-gap system and an approved reduced pressure principle device shall be installed in the bypass system.

Double check valve assembly means an assembly of two independently operating check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly shall meet the design and performance specifications and approval of a recognized testing establishment for backflow prevention devices. To be approved, these devices must be readily accessible for in-line maintenance and testing.

Reduced pressure principle device means an assembly of two independently operating approved check valves with an automatically operating differential relief valve between the two check valves, tightly closing shut-off valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves. The entire assembly shall meet the design and performance specifications and approval of a recognized testing agency for backflow prevention assemblies. The device shall operate to maintain the pressure in the zone between the two check valves at a level less than the pressure on the public water supply side of the device. At cessation of normal flow, the pressure between the two check valves shall be less than the pressure on the public water supply side of the devices. In case of leakage of either of the check valves, the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these devices must be readily accessible for in-line maintenance and testing and be installed in a location where no part of the device will be submerged.

Back pressure means backflow caused by a pump, elevated tank, boiler or other means that could create pressure within the system greater than the supply pressure.

Back-siphonage means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

Certified inspector and/or tester means a person who has passed a State-approved and/or sponsored testing and/or inspection course and who is listed by the State as a certified inspector and/or tester.

Check valve means a self-closing device which is designed to permit the flow of fluids in one direction and to close if there is a reversal of flow.

Colorado Department of Public Health and Environment Cross-Connection Control Manual means a manual that has been published by the State addressing cross-connection control practices which will be used as a guidance document for the agency in implementing a cross-connection control program.

Contamination means an impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease.

Critical level means the critical level C-L or C/L marking on a backflow prevention device or vacuum breaker which is a point conforming to approved standards and established by the testing laboratory (usually stamped on the device by the manufacturer), which determines the minimum elevation above the flood level rim of the fixture or receptacle served at which the device may be installed. When a backflow prevention device does not bear a critical level marking, the bottom of the vacuum breaker, combination valve, or the bottom of any such approved device shall constitute the critical level.

Cross-connection means any unprotected, actual, or potential connection or structural arrangement between a public, or a consumer's, potable water system and any other source, or system, through which it is possible to introduce into any part of the potable system any substance other than the intended potable water, with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices and other temporary, or permanent, devices through which, or because of which, backflow can or may occur, are considered to be cross-connections.

Cross-connections, controlled means a connection between a potable water system and a non-potable water system with an approved backflow prevention device properly installed that will continuously afford the protection commensurate with the degree of hazard.

Flood level rim means the edge of the receptacle from which water overflows.

Hazard, degree of, derives from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

Hazard, health, means any condition, device, or practice in the water supply system and its operation which could create, or in the judgment of the Town may create, a danger to the health and well-being of the water consumer. An example of a health hazard is a structural defect, including cross-connections, in a water supply system.

Hazard, plumbing, means a plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention device. Unprotected plumbing type cross-connections are considered to be a health hazard.

Hazard, pollutional, means an actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

Hazard, system, means an actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in the system.

Industrial fluids system means any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to, polluted or contaminated waters; all types of process waters and used waters originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis, circulated cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for firefighting purposes.

Non-potable water means water that is not safe for human consumption or that is of questionable potability.

Pollution means the presence of any foreign substance (organic, inorganic, radiological or biological) in the water that may degrade the water quality so as to constitute a hazard or impair its usefulness.

Potable water means water free from impurities in amounts sufficient to cause disease or harmful physiological effects. The bacteriological, chemical, and radiological quality shall conform with State drinking water regulations.

Submerged inlet means a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.

Vacuum means any pressure less than that exerted by the atmosphere.

Vacuum breaker, atmospheric type, means a vacuum breaker which has a moving element inside, which during flow prevents water from spilling from the device, and during cessation of flow drops down to provide a vent opening. The atmospheric vacuum breaker cannot be installed where there can be backpressure, only where there can be back-siphonage. This device should not remain under pressure for long durations (more than 12 hours in any 24-hour period) and it cannot have any shut-off valve downstream of it.

Vacuum breaker, pressure type, means a vacuum breaker that cannot be installed where there can be back-pressure, only where there can be back-siphonage. The pressure vacuum breaker can have shut-off valves downstream of the device.

Water service connection means the terminal end of a service connection from the public potable water system, i.e., where the Town loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There shall be no unprotected takeoffs from the service line ahead of any meter or backflow prevention device located at the point of delivery to the customer's water system. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

(Ord. 82, Part 8, §8.1, 1994; Amended Ord. 2, §2, 2019)

8.28.030 Requirements.

A. Water system.

1. The water system shall be considered as made up of two parts: the utility system and the customer system.
2. The utility system shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.
3. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.

4. The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.
5. The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system which are utilized in conveying utility-delivered domestic water to points of use.

B. Policy.

1. No water service connection shall be installed or maintained by the Town unless the water supply is protected as required by State laws and regulations and this Chapter. Service of water to any premises shall be discontinued by the Town if a backflow prevention device required by this Chapter is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
2. The customer's system shall be open for inspection at all reasonable times to authorized representatives of the Town to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the Town shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with State and agency statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.
3. An approved backflow prevention device shall be installed depending on the degree of hazard. Such a device shall be installed at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:
 - a. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the Town, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard.
 - b. In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create

an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system which have been subject to deterioration in quality.

- c. In the case of premises having internal cross-connections that cannot be permanently corrected and controlled, or intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impractical or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line.

4. The type of protective devices required in this Chapter shall depend upon the degree of hazard which exists as follows:

- a. In the case of any premises where there is an auxiliary water supply and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device.
- b. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.
- c. In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.
- d. In the case of any premises where there are uncontrolled cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device at the service connection.

e. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow or back-siphonage from the premises by the installation of a backflow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air-gap separation or an approved reduced pressure principle backflow prevention device shall be installed in each service to the premises.

5. Any backflow prevention device required herein shall be of a model and size approved by the Town. The term "approved backflow prevention device" shall mean a device that has been manufactured in full conformance with the standards established by the American Water Works Association entitled:

AWWA C506-78 Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices;

and has met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California established by:

Specifications of Backflow Prevention Device - #69-2, dated March 1969, or the most current issue.

Said AWWA and FCCC&HR Standards and Specifications are hereby adopted by reference by the Town of Dinosaur. Final approval shall be evidenced by a "Certificate of Approval" issued by an approved testing laboratory certifying full compliance with said AWWA Standards and FCCC&HR Specifications.

The following testing laboratory has been qualified by the Town to test and certify backflow preventers:

Foundation for Cross-Connection Control & Hydraulic Research
University of Southern California
University Park
Los Angeles, CA 90007

Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the Town.

Only approved backflow prevention devices may be used.

6. It shall be the duty of the customer user at any premises where backflow devices are installed to have certified inspections and operational tests made at least once per year. The fee shall be \$25.00 per inspection. In those instances where the Town deems the hazard to be great enough, he may require certified inspections at more frequent intervals. These shall be performed by Town personnel or a certified inspector and/or tester approved by the Town. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Records of such tests, repairs and overhauls shall be kept and made available to the Town. The form, to be provided by the Town, shall be submitted to the agency within 30 days after the device has been tested and/or inspected.
7. Installation of new devices. The Town will be informed of all backflow prevention devices that are installed on any premises. Upon installation, the device will be inspected and tested by Town personnel or a certified inspector and/or tester approved by the Town. The agency will be informed in writing of the results of this inspection and test.
8. Backflow prevention devices currently installed which are not approved shall be replaced with an approved device within three years from the effective date of the Chapter, unless the device fails an annual operational test. If the device fails any such test, it shall be replaced immediately with an approved device.

(Ord. 82, Part 8, §8.2, 1994; Amended Ord. 2, §3, 2019)

8.28.040 Existing Cross-Connections.

Any existing cross-connections between a public water system and any secondary water system shall be eliminated or protected by means of an approved backflow preventer.

(Ord. 82, Part 8, §8.3, 1994; Amended Ord. 2, §4, 2019)

8.28.050 Specific System Requirements.

A. Irrigation Systems. The following guidelines relating to backflow prevention devices for irrigation systems shall apply:

1. Atmospheric vacuum breakers shall be installed after the last control valve of each sprinkler circuit and at a minimum of six inches above the highest irrigation head. The atmospheric vacuum breaker shall be installed only on irrigation circuits with heads that will not return any pressure in the circuit when the circuit control valve is closed.

2. Pressure vacuum breakers shall be installed at the beginning of each irrigation circuit and at a minimum of 12 inches above the highest irrigation head on the circuit. Individual irrigation circuits having quick coupling valves or other similar type heads that will permit pressure to be retained in the circuit shall have a pressure vacuum breaker installed as a minimum requirement for each circuit. Irrigation systems using the subsurface drip method shall have a pressure vacuum breaker on each circuit. A pressure vacuum breaker may not be installed where a double check valve assembly, reduced pressure principle backflow prevention device, or air-gap separation is required.
3. A double check valve assembly may be installed to serve multiple irrigation circuits in lieu of vacuum breakers on each individual irrigation circuit.
4. A reduced pressure principal backflow preventer or air-gap separation shall be required before any piping network in which fertilizers, pesticides and other chemicals or toxic contaminants are injected or siphoned into the irrigation system. A reduced pressure principal backflow preventer may be installed to serve multiple irrigation circuits in lieu of vacuum breakers on each individual irrigation circuit.

B. Fire Systems.

1. Water systems for fighting fire, derived from a supply that cannot be approved as safe or potable for human use, shall, whenever practicable, be kept wholly separate from drinking water pipelines and equipment. In cases where the domestic water system is used for both drinking and firefighting purposes, approved backflow prevention devices shall be installed to protect such individual drinking water lines as are not used for firefighting purposes. It is hereby declared that it is the responsibility of the person or persons causing the introduction of said unapproved or unsafe water into the pipelines to see that:
 - a. A procedure be developed and carried out to notify and protect users of this piping system during the emergency;
 - b. Special precautions be taken to disinfect thoroughly and flush out all pipelines which may have become contaminated before they are again used to furnish drinking water. In the event the means of protection of water consumers is by disinfection of the auxiliary firefighting supply, the installation and its use shall be thoroughly reliable.

2. When disinfection of the auxiliary supply itself is depended upon to render the water safe, the means of applying the disinfectant under this regulation shall be automatic with operation of the pump or pumps employed with the dangerous water in question. Adequate supplies of chlorine or its compounds must be kept on hand at all times. Chlorine dosing equipment shall be tested daily and kept in good operating condition.
3. The public water supply must be protected against backflow from dual domestic fire systems.

(Ord. 82, Part 8, §8.4, 1994; Amended Ord. 2, §5, 2019)

8.28.060 Violations and Penalties.

A. The Town shall notify the owner, or authorized agent of the owner, of the building or premise when there is found a violation(s) of these regulations. The Town shall set a specific time for the owner to have the violation removed or corrected. If the owner fails to correct the violation(s) in the specified time, the Town may, if in its judgment an imminent health hazard exists, request that the water service to the building or premise be terminated. Additional fines or penalties may also be invoked following termination of service.

B. Any person, firm, or corporation who violates any provision of this Chapter shall be subject to a fine of up to three hundred dollars (\$300.00) or imprisonment for up to ninety (90) days, or by both such fine and imprisonment. Any such offense shall be deemed one of strict liability. Each separate day or any portion thereof during which any violation of this Chapter occurs or continues shall be deemed to constitute a separate offense.

C. In the event any person, firm, or corporation fails to comply with this Chapter, said person, firm, or corporation shall be liable for civil damages done to the Town's water supply system, and for the costs of any repairs and clean-up.

(Ord. 82, Part 8, §8.5, 1994; Amended Ord. 2, §6, 2019)

Chapter 8.30

MISCELLANEOUS PROVISIONS

Sections:

- 8.30.010 Unpaid Water Fees and Charges-Lien-Collection.
- 8.30.020 Inspections.
- 8.30.030 Regulations of Part of Contract.
- 8.30.040 Violations and Penalties.

8.30.010 Unpaid Water Fees and Charges-Lien-Collection. A. All rates, fees, charges and assessments established by this Title from the time the same shall become due and payable, shall become and remain a lien on the subject premises until said rates, fees, charges and assessments have been paid to the Town. This lien on the premises may be foreclosed by an action at law or in equity in the Town in any court having jurisdiction thereof. If the Town must resort to court action for collection of amounts due it under this Chapter, the Town shall also be entitled to reasonable attorney fees and other expenses incurred in such action if the Town prevails.

B. In the event said rates, fees, charges and assessments are not paid when due, the Town Treasurer may certify the amount of the same to the Moffat County Treasurer, to be placed on the tax list for the current year, and to be collected in the same manner as other taxes are collected, pursuant to Section 31-20-105, C.R.S., as amended. All laws of the State for the assessment and collection of general taxes, including the laws for the sale of property for taxes and redemption of the same, shall apply.

8.30.020 Inspections. Whenever, in the judgment of the Public Works Director or the Town Council it is deemed necessary, the Public Works Director or other person designated by the Town Council, may inspect the premises or building of any water consumer for the purpose of examining the condition of all service lines, plumbing, and water fixtures, or the manner in which the water is used. In the event a water consumer refuses to grant access for the purpose of such inspections, the Town may apply to the Municipal Court of the Town of Dinosaur for an administrative search warrant, in the manner provided by Rule 241(b)(2) of the Colorado Municipal Court Rules of Procedure.

8.30.030 Regulations Part of Contract. The provisions of this Title, as far as applicable, shall be considered as part of a contract between the Town and each property owner or customer who is furnished with Town water, and such property owner or customer by using Town water shall be presumed to express his consent to be bound by the provisions of this Title, or such other regulations as the Town may hereafter adopt.

8.30.040 Violations and Penalties. A. Any person, firm, or corporation violating any provisions of this Title shall be deemed to be guilty of a criminal offense and, upon conviction

thereof, shall be punished by a fine not to exceed three hundred dollars (\$300.00), or by imprisonment in the Moffat County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment, unless otherwise provided in this Title. Each separate day or any portion thereof during which any violation of this Title occurs or continues shall be deemed to constitute a separate offense. Any violation of this Title shall be deemed to be one of "strict liability."

B. In the event any person, firm, or corporation fails to comply with this Title, said person, firm, or corporation shall be liable for any civil damages done to the Town's water system, and for the cause of any repairs associated with such violation.

(Ord. 82, Part 9, §§9.1 through 9.4, 1994)

II. WASTEWATER COLLECTION SYSTEM

Chapter 8.32

WASTEWATER COLLECTION SYSTEM-DEFINITIONS

Sections:

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| 8.32.010 | Building Drain. |
| 8.32.020 | Building Sewer. |
| 8.32.030 | Connection Permit. |
| 8.32.040 | Industrial Waste. |
| 8.32.050 | Inspector. |
| 8.32.060 | Licensed Contractor. |
| 8.32.070 | Public Sewer. |

8.32.010 Building Drain. “Building Drain” means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building’s sewer, beginning five feet (5’) outside the inner face of the building wall.

8.32.020 Building Sewer. “Building Sewer” means the extension from the building drain to the public sewer or other place of disposal, also called “house connection.”

8.32.030 Connection Permit. “Connection Permit” means a permit to connect to the sewer system of the Town of Dinosaur, issued in accordance with this Title.

8.32.040 Industrial Waste. “Industrial Waste” means solid, liquid, or gaseous waste resulting from any industrial manufacturing, trade, or business process, or from the development, recovery, or processing of natural resources.

8.32.050 Inspector. “Inspector” means the person or persons who has a valid Class D license from the State of Colorado, selected by the Town Council of the Town of Dinosaur to be charged with the enforcement of applicable Colorado statutes, this Title, and any regulations promulgated thereunder.

8.32.060 Licensed Contractor. “Licensed Contractor” means any person, firm, or corporation licensed by the Town of Dinosaur, for the purpose of making any connections, alterations, or changes in the physical facilities of the sanitary sewer system.

8.32.070 Public Sewer. “Public Sewer” means the Town’s sewer system that carries liquid and water carried waste from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm, and surface waters which are not admitted intentionally.

(Ord. 70, §3, 1988)

Chapter 8.34

WASTEWATER COLLECTION SYSTEM-GENERALLY

Sections:

- 8.34.010 Sanitary Sewer System Established.
- 8.34.020 Administrative Powers.

8.34.010 Sanitary Sewer System Established. There is hereby created and established a sanitary sewer system for the express purpose of carrying and disposing of human waste, and not for the purpose of carrying industrial waste, except as herein specifically provided. It is further declared that the sanitary sewer system shall not be used as a drainage system, and was not designed or built for lowering the water table, nor for carrying away rain or drainage water within the corporate limits of the Town of Dinosaur. (Ord. 70, §1, 1988)

8.34.020 Administrative Powers. The Town Council of the Town of Dinosaur shall have the immediate control and management of the sanitary sewer system and shall perform all acts that may be necessary for the prudent, efficient, and economical management and protection of said sanitary sewer system. The Council may delegate such powers as it deems appropriate to a Sanitary Sewer Department. The Council shall have the power to prescribe such other further rules, rates, and regulations conferred upon it under and by virtue of the provisions of Section 31-35-401, *et. seq.*, C.R.S., as amended, and shall have such other power and authority as may hereafter be conferred upon it by law. (Ord. 70, §2, 1988)

Chapter 8.36

WASTEWATER COLLECTION SYSTEM-REGULATIONS CONCERNING CONNECTIONS, DISCHARGES, ENFORCEMENT AND INSPECTIONS

Sections:

- 8.36.010 Privies and Septic Tanks Prohibited.
- 8.36.020 Connection to Sewer Required.
- 8.36.030 Connection Permit Required.
- 8.36.040 Connection Permit Application.
- 8.36.050 Sewer Connections.
- 8.36.060 Conformance with Rules, Regulations, and Specification Standards.
- 8.36.070 Discharge of Certain Materials Prohibited.
- 8.36.080 Tap Fees.
- 8.36.090 Collection, Lien-Perpetual Lien.
- 8.36.100 Road and Street Cuts.
- 8.36.110 Cleaning of Service Lines.
- 8.36.120 Entry onto Private Property.
- 8.36.130 Abandonment Prohibited.
- 8.36.140 Interference Prohibited.
- 8.36.150 Town Responsibility.
- 8.36.160 Recovery of Costs.
- 8.36.170 Malicious or Negligent Damage.
- 8.36.180 Penalties.

8.36.010 Privies and Septic Tanks Prohibited. It shall be unlawful for any person to maintain within the Town any privy, privy vault, septic tank, cesspool, or other facility for use for the disposal of sewage, except when not accessible. (Ord. 70, §4, 1988)

8.36.020 Connection to Sewer Required. The Town Council deems it necessary for the protection of the public health, safety, and welfare that the owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town, install, at the owner's expense, suitable toilet facilities therein, and connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter. (Ord. 70, §5, 1988)

8.36.030 Connection Permit Required. It is unlawful to open, uncover, or in any manner make connection with any sewer main line of the Town, or to lay drain or sewer pipes on any premises or in any street or alley in the Town without first obtaining a written connection permit from the Town of Dinosaur. (Ord. 70, §6, 1988)

8.36.040 Connection Permit Application. A. The application for the connection permit shall be in writing on a form provided by the Town, which shall require at least the

following information, together with any plans, specifications, or other information considered pertinent in the judgment of the inspector:

1. Name and address of applicant;
2. Name and address of owner of the premises where the connection is to be made, or where the drain or line is to be laid;
3. Location of the proposed connection, drain, or sewer pipe;
4. Statement as to the type, materials, and method of connection and the type of materials to be discharged into the sewer.

B. The Town shall issue a permit for such connection if the application contains all of the required information and the inspector finds that the proposed connection complies with all the provisions of the applicable ordinances of the Town and the sewer installation regulations of the Town. The connection permit shall specify the type and kind of connections and grease and sand traps to be used, if any, together with the specifications of construction.

C. An inspection and materials fee shall be assessed for each connection permit issued pursuant to this Chapter in excess of five (5) permits within any twelve (12) month period issued to any one owner or applicant. Such charge shall defray the cost of materials, inspection, and labor incident to connection of the sewer service line. the amount of the inspection and materials fee shall be determined by the Town at the time of the application for the connection permit.

(Ord. 70, §7, 1988)

8.36.050 Sewer Connections. A. No more than one (1) building or dwelling shall be permitted to use a sewer service line, with the exception of campgrounds and mobile home parks which shall be permitted to have multiple users on a service line, subject to the approval of the inspector. Provided, however, the Town does not and will not assume any obligation or responsibility for damage caused by, or resulting from, such multiple use. No such connection shall be approved without the written approval of, and an agreement to hold the Town harmless from any damage resulting from such multiple use connections.

B. Building sewers for existing buildings may be used in connection with new buildings only when they are found, upon examination and testing by the inspector, to meet all requirements of the Municipal Code and any sewer installation regulations of the Town.

C. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, the means of lifting and discharging to the public sewer of the sanitary sewage carried by such building drain shall be approved by the inspector.

D. No person shall make connection of roof downspouts, foundation, or floor drains, area way drains, or other sources of surface run-off or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sewer.

E. The building drain line commencing at the exterior foundation wall and terminating at the main sewer distribution line shall be of a type of pipe that affords leak-tight joints and of a material to resist deterioration by elements of nature and shall comply with any sewer installation regulations of the Town. The pipe shall be not less than four inches (4") in diameter with a smooth surface for each building or dwelling unit, unless otherwise determined by the inspector. Said line shall not be connected to or run through any type of cesspool or septic tank. Said line shall be constructed in a manner to positively prohibit ground seepage water entering the system and no roof, gutter, or yard drain shall at any time be allowed to run water into the sewer system. The drain line shall be laid to a uniform alignment with a slope of not less than one-eighth inch (1/8") per foot. It shall be the responsibility of the owner, applicant, contractor, and the Town to ensure that all cesspools and septic tanks are removed from use and filled in a safe and sanitary condition.

All connections of the building sewer into the public sewer shall be made gas tight and verified by proper testing. Any deviation from the procedures and materials prescribed in this Chapter and any sewer installation specifications of the Town must be approved by the inspector before installation. The applicant for a building sewer permit shall notify the inspector when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the inspector or his representative. The work may be performed by a contractor upon approval by the inspector.

F. All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored by the owner, at the owner's expense, in a manner satisfactory to the Town.

G. All costs and expenses incidental to the installation connection for the building sewer shall be borne by the owner of the property on which it is installed. The owner shall be responsible for installing the service line from the building to the main distribution line. The Town of Dinosaur shall then be responsible for proceeding with the tap to the main sewer line. If the owner's property does not have a sewer main distribution line adjacent to the property, the owner shall be required to pay the cost of extending the main distribution line to his furthestmost property line in accordance with the Town's specifications.

(Ord. 70, §8, 1988)

8.36.060 Conformance with Rules, Regulations, and Specification Standards. The size, slope, alignment, and materials of construction of all public sewers, including building

sewers, the method to be used in excavating, placing of the pipes, jointing, testing, backfilling the trench, and connection of the building sewer into the public sewer, shall all conform to the requirements of all applicable Town ordinances, regulations, and specifications which may be adopted by the Town Council by resolution. When so approved, said regulations shall have the same force and effect of any ordinance of the Town. (Ord. 70, §9, 1988)

8.36.070 Discharge of Certain Materials Prohibited. A. It shall be unlawful to discharge any substance into the Town's sanitary sewer system which causes:

1. Chemical reaction or mechanical action which will damage the sewer system or waste water treatment plant;
2. Restriction on the hydraulic capacity of any part of the sewer system;
3. Violation of the conditions of the Town's pollution discharge and elimination system permits;
4. Contamination of sewage sludge or limits the re-use of the sewage sludge;
5. Increased danger of fire or explosion;
6. Concentrations of gases or vapors which pose a threat to life or safety.

B. It shall be unlawful to discharge any of the following substances into the Town's sewer system:

1. Industrial waste;
2. Petroleum products;
3. Clear water, such as ground water, water from roof drains, spring water, irrigation water, or storm water;
4. Flammable substances with a flash point lower than 187°F;
5. Substances with a temperature outside the range of 32° - 150°F;
6. Substances having a pH less than 5.0 or greater than 10.0;
7. Radioactive waste;
8. Any of the toxic pollutants identified by the United States Environmental Protection Agency.

C. It shall be unlawful to discharge sanitary sewage from any vehicle except at locations and in a manner approved by the Town.

(Ord. 70, §10, 1988)

8.36.080 Tap Fees. In order to defray a portion of the physical plant requirements, each applicant or owner, effective July 1, 2008, before making connection to the Town's sanitary sewer system, shall be required to pay a tap fee in the amount of \$800.00. (Ord. 70, §11, 1988; Amended Ord. 119, §1, 2008)

8.36.090 Collection, Lien-Perpetual Lien. All the rates, charges, and assessments provided by this Title shall be paid by the owner or owners of the property serviced, and all such water rates from the time the same shall become due and chargeable, shall become and remain a lien on the premises until the rates and charges have been paid to the Town. This lien on the premises may foreclosed by an action at law or in equity in the name of the Town in any court having jurisdiction thereof. In the event the charges are not paid when due, the Town Treasurer may certify the amount of the charge to the County Treasurer, to be by him/her placed on the tax list for the current year, and to be collected in the same manner as other taxes are collected, with ten percent (10%) added to defray the cost of collection. All laws of the State for the assessment and collection of general taxes, including the laws for the sale of property for unpaid taxes and redemption of the same, shall apply. In addition to having a lien on the premises for unpaid sewer rates and charges, the Town shall have the right to terminate sewer service and refuse to furnish sewer service to any premises until all delinquent charges are paid in full. This provision may be enforced against the subsequent tenant, owner, or occupant of the premises upon which the lien exists.

In addition to all other penalties, any sewer rate or charge not paid within thirty (30) days after the date when same became due, shall be assessed interest on the unpaid balance at the rate of one and one-half percent (1 ½%) per month, or an annual percentage rate of eighteen percent (18%).

(Ord. 70, §14, 1988)

8.36.100 Road and Street Cuts. The responsibility for making any cuts into or across any road or street shall be solely that of the applicant, and no permit or license granted by the Town of Dinosaur shall be construed to mean that the Town shall be liable for damages to any road or streets due to such cuts being made. If for any reason a street cut is made, it shall be the responsibility of the applicant to repair the street with material and in a manner acceptable to the Town of Dinosaur. (Ord. 70, §15, 1988)

8.36.110 Cleaning of Service Lines. It shall be the sole responsibility of the property owner to clean, service, and maintain his service line between the building drain and the main sewer distribution line of the Town of Dinosaur. The property owner shall keep said line in good

repair at all times so there can be no improper infiltration of water through said line. (Ord. 70, §16, 1988)

8.36.120 Entry onto Private Property. A. The inspector and any other duly authorized employee of the Town, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to sewage discharge into the Town's public sewer system in accordance with the provisions of this Chapter. While performing work pursuant to this Chapter, all employees of the Town shall observe all safety rules applicable to the premises established by the Owner or contractor for its own employees.

B. The Inspector and other duly authorized employees of the Town, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Town holds an easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, maintenance, or replacement of any portion of the Town's sewer system lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement.

(Ord. 70, §17, 1988)

8.36.130 Abandonment Prohibited. No person or entity shall abandon any building, drain, or other connection with the Town's public sewer system without first obtaining a permit therefor. Such building connection shall be effectively sealed with an appropriate stopper inserted in a manner directed by the Town. (Ord. 70, §18, 1988)

8.36.140 Interference Prohibited. It shall be unlawful for any person to, in any way, interfere with the employees of the Town in the discharge of their duties in the tapping of any sewer pipe, main, or lateral, or conducting inspections authorized in this Chapter. (Ord. 70, §19, 1988)

8.36.150 Town Responsibility. The Town shall be responsible for the repair and maintenance of all public main distribution sewer lines. (Ord. 70, §20, 1988)

8.36.160 Recovery of Costs. Any discharger violating any of the provisions of this Chapter, or who discharges or cause a discharge producing a deposit or obstruction, or causes damage to or impairs the Town's sanitary sewer system shall be liable to the Town for any expense, loss, or damage caused by such violation or discharge. The Town shall bill the discharger for the costs incurred by the Town in any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed cost shall constitute a violation of this Chapter, enforceable as elsewhere provided in this Title, including Section 5.36.090. (Ord. 70, §21, 1988)

8.36.170 Malicious or Negligent Damage. It shall be unlawful for any person to maliciously, willfully, or negligently break, damage, or destroy, uncover, deface, or tamper with

any structure, appurtenance, or equipment which is a part of the Town's public sewer system. (Ord. 70, §22, 1988)

8.36.180 Penalties. Any person, firm, or corporation violating any of the provisions of this Chapter shall be deemed guilty of a criminal offense and, upon conviction thereof, shall be punished by a fine not to exceed Three Hundred and No/100 dollars (\$300.00) or by imprisonment in the Moffat County jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment. Each separate date, or portion thereof, during which any violation of said provisions occur or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. Any violation of a provision of this Chapter shall be deemed a "strict liability" offense. (Ord. 70, §24, 1988)

Chapter 8.38

WASTEWATER COLLECTION SERVICE-USAGE AND CHARGES

Sections:

- 8.38.010 Sewer Rates and Charges.
- 8.38.020 Applicability of Sewer User Charges.

8.38.010 Sewer Rates and Charges. A. That all rates and charges for municipal wastewater collection and treatment service shall be billed on a monthly basis. There shall be no reduction in rates or charges, or any rebates thereof, for use for less than the full monthly period, except for rates charged users making new connections to the Town's wastewater system, which rates shall be pro-rated on the basis of the number of days remaining in the billing period in which the new connection is made. Payment for wastewater collection service shall be for use during the preceding monthly billing period.

B. Beginning on the first day of January, 2015 and on the first day of the month thereafter, the following wastewater rates shall be assessed and charged:

| Wastewater Rates | |
|-------------------------|-------------------|
| Residential | \$20.45 |
| Commercial | \$27.22 |
| Motel & Laundry | \$38.11 |
| School | \$65.88 |
| Duplex | \$61.35 |
| RV Park | \$27.22 per meter |

C. The above rates for wastewater (sewer) service shall be increased annually in September of each year until 2033 by 2.75% or the consumer price index (CPI) whichever is greater.

(Ord. 70, §12, 1988; Amended Ord. 2015-3, §2, 2015)

8.38.020 Applicability of Sewer User Charges. If water service is provided to a residential unit, building, or structure, whether or not occupied, the owner shall pay the sewer service charges herein provided. (Ord. 70, §13, 1988)