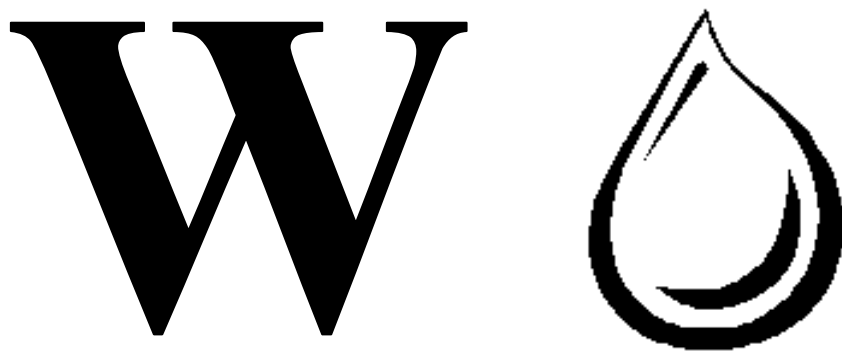


**By-Laws  
Connection Charges  
Meter Rate Structures**

**Wright Water & Sewer District**



**September 2010**

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(Under the provisions of Wyoming Statute Section 41-10-113 (a) (xxi) and (xxiii) (1977).

## 1. SERVICE ACTIVATION

To activate water and sewer service to a property, the builder shall first contact the Wright Water and Sewer District office. Each residential or commercial dwelling/building must have its own separate tap and must complete a Consumer Service Agreement form for each tap. An exception to this would be an accessory building. An approved Consumer Service Agreement form will confirm that water and sewer connection fees and meter fees have been received by the District, that the property to be serviced is within the Wright Water and Sewer District boundaries and will include the builder's agreement to pay for his own construction water. Connections to either the water or sewer system without confirmed payment of the required connection and meter fees, or confirmed to be within the Wright Water and Sewer District, shall constitute delinquency in payment and such connection shall be shut off by the District and a lien placed on the property in the amount of the required fees or any outstanding amount can be a lien on the property, Wyoming Statute Section 41-10-113 (a) (xxi) and (xxiii) (1977). The withdrawal of water from such connections will also subject those responsible for such withdrawal to prosecution under Wyoming Criminal Procedure. If the property is not currently within the Wright Water and Sewer District, the owner must annex the property as soon as they are able to or they must enter into an agreement with the District.

(Amended September 12, 1991) (Amended December 14, 2000)

If any lot, group of lots or parcel is subdivided, each new subdivided lot, group of lots or parcel shall have its own separate tap. If a tap serviced the property prior to the subdividing, said tap shall be available for only one of the newly subdivided lots or parcel.

The builder shall present one copy of the approved form to the District's operating representative who will issue the metering equipment to the builder and will record the respective serial numbers of the equipment on the form. The service will be activated only after the builder installs the meter in accordance with the Wright Water and Sewer District installation instructions.

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To avoid being assessed excess construction water charges, the builder shall convey to the District the reading on the meter just prior to the occupation of the building by its purchaser or lessor, and this reading will serve as the basis for computing his construction water charges. The builder is requested to advise occupants of District requirements to sign up for water and sewer service. (Section 2 of By-Laws)

Minimum billing will begin on the day the consumer moves in and will run until the end of the next full billing cycle.  
(Approved July 8, 1993)

Anyone requiring water service must own land adjacent to the water main. If not, person requesting water service must pay for all costs to extend the main to property line. (See Section 23 - Sizing of Water Mains) The Board reserves the right to review and/or make any exceptions on a case-by-case basis.  
(Approved April 8, 1999) (Amended February 14, 2002)

Anyone requesting a 3/4" residential water or water/sewer tap is entitled to finance the tap fees with the Wright Water and Sewer District. A formal request for financing must be made before the Board of Directors at a regularly scheduled meeting and an approved Tap Payment Agreement form must be completed. Regular 3/4" water tap fees will be financed for a maximum of 6 months; regular 3/4" water/sewer tap fees and double water tap fees will be financed for a maximum of 12 months. All Tap Payment Agreements will require a down payment of 20% from the owner of the property serviced by the tap. In the event a property is sold before the end of the term of the Tap Payment Agreement, the remaining balance must be paid in full prior to the sale of the property. All terms and conditions of the Tap Payment Agreement must be met.  
(Approved July 14, 2005)

### 2. SERVICE SIGN-UP REQUIREMENT BY OCCUPANT

All purchasers or lessors of buildings served by the District system must sign up for water and sewer service upon occupancy of the building served. Owners of buildings who plan to rent the buildings are advised to require their tenants to sign up for service, since such owners, themselves, will otherwise become responsible for the water and sewer service charges.

### 3. MONTHLY SERVICE CHARGES AND DISCONTINUATION OF SERVICE

(A) Nonpayment or delinquency in payment of monthly water and sewer service charges shall constitute grounds for disconnection of service, and such unpaid charges shall constitute a perpetual lien against the property served, Wyoming Statute Section 41-10-113 (a) (xxi) (1977). The Consumer is liable for all costs associated with the collection of this account, including but not limited to court costs, mileage and attorney's fees.  
(Amended September 8, 1994)

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

(B) An account is due and payable on the date the billing statement is mailed to the respective users. A \$5.00 late charge will be added to all accounts that have not been paid by the 20th day of the following month. A reminder payment notice shall be sent by the District to the user informing them that the account is past due and the user has 20 days from the date of the notice to pay the delinquent amount in full or their service will be shut off. If payment is not received within the 20-day period, the District shall shut off service. If the "shut-off" day falls on a Friday or a Holiday, the Consumer shall be given until the following business day to pay or services shall be turned off.  
(Amended November 9, 1993)

The notice of delinquency shall state that if the user disputes the fact they are delinquent or disputes the amount that is delinquent, they have the right to attend the board meeting of the Wright Water and Sewer District. The notice shall state the date, time, and place of the next board meeting. If a written notice of dispute is received by the District, the 20-day period is waived until a hearing is held before the District's Board of Directors. If the District directors determine there is an amount delinquent, the amount is due within 20 days of the hearing.

Prior to services being disconnected for non-payment, the District will attempt with due diligence to contact the user personally to inform them of the deadline to remit full payment of the past due amount and, if payment is not made within that 20-day period, their service will be shut off.

In the event the user no longer resides at the service address, a second payment notice will be sent 30 days after the final bill date. A certified letter, return receipt requested, postage prepaid, will be sent to the last known address according to District records 60 days after the final bill date. The account will be turned over to a collection agency if payment is not received within 90 days of the final bill date. An account will be written off as "uncollectible" if payment is not received within 1 (one) year of turning it over to the collection agency.  
(Approved April 10, 2003)

(C) Once a user's service is discontinued, a shut off fee of \$12.00, a turn on fee of \$12.00, and a reconnect fee of \$50.00 must be paid, as well as any unpaid balance before service is restored.

(D) The District reserves the right not to discontinue service if an account is delinquent provided the user provides the District with clear and convincing evidence of the undue hardship which will occur if the service is shut-off and provided the District does not discriminate on the basis of race, sex, creed, color, religion, or national origin when determining whether a user's service should be discontinued.

(E) Should any delinquent bills accumulate to an amount greater than or equal to \$150.00, or whenever the Board has information or an indication that the sale or transfer of the user's property is imminent with a delinquency existing, the Board may direct that a lien be filed against the property in the county land records.

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Simultaneously, the Board shall cause a copy of the lien statement to be sent by certified mail, return receipt requested and regular mail, postage prepaid, to the last known owner in care of the last known address according to District records and the Campbell County assessment roll. In the event the bill remains unpaid, the Board, in the best interests of the District, may decide whether or not to foreclose the lien. Prior to foreclosure, the District shall hold a hearing thereon after notice by publication and registered first class mail, postage prepaid, addressed to the last known owner at the last known address according to the District records and the county assessment roll. Filing of a lien statement by the Board shall not constitute exclusive means of collection of the delinquency and charges nor preclude any other remedy available to the Board under law. In the event a lien has been filed and the delinquency amount and charges thereafter are collected, the Board shall cause a notice of satisfaction of lien to be filed in the land records.

(F) Bulk water bills are due upon receipt. Any amount left unpaid 30 days after the bill date is subject to a 1.5% monthly service charge.

(Approved May 9, 2002)

A certified letter, return receipt requested, postage prepaid, will be sent to the last known address according to District records when an account is 30 days past due. Water privileges will be revoked when an account becomes 60 days past due and will not be reinstated until the District receives payment of any unpaid balance. The account will be turned over to a collection agency when an account becomes 90 days past due. An account will be written off as "uncollectible" if payment is not received within 1 (one) year of turning it over to the collection agency.

(Approved April 10, 2003)

(G) The remedies in these By-Laws for collection of delinquent charges and fees and terminations are not exclusive and in no way abridge or preclude any other remedy available by law.

(Section 3, A through G - Amended February 14, 1991)

(H) A \$30.00 service charge will be charged for any checks returned due to insufficient funds.

(Approved September 12, 1991) (Amended November 10, 2004)

#### 4. SIZING OF WATER SERVICES

The minimum diameter for all service lines serving either residential or commercial properties shall be 1-inch, unless a 3/4-inch tap is already servicing the property. The size of service lines for buildings requiring greater amounts of water shall be determined by the builder, based on a fixture unit analysis resulting in a flow which limits the flow velocity in the service line to a maximum of 10 feet per second; or lower if required to limit overall head loss in the service line, with such analysis subject to the District review. The connection charge will be made in accordance with the District connection fee schedule based on the diameter of service. All sanitary sewer services

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for individual service to single family dwelling units shall be a minimum diameter of 4 inches. For buildings requiring larger diameter sewers, the exact size shall be designed and established by the builder, based on actual fixture unit analyses.  
(Amended April 13, 2006)

A) Long Services

A service line is considered the line from the main to the home. Service lines over long distances (300 feet) shall be sized so the water will turn over at least every day. Minimum usage to size the line shall be one hundred gallons per person per day. See the attached length schedule. Maximum length of service shall be 3,000 feet. Each case shall be reviewed on an individual basis.  
(Approved April 8, 1999)

### 5. PROTECTION OF VALVE & BOX ON INDIVIDUAL WATER SERVICE LINES

Where properties have been provided with individual service lines and curb stop valves, the operating condition of both the valve and the box has been verified upon its completion, and it is the total responsibility of the contractor who is erecting the building on that particular property to preserve the operating condition of both the valve and the valve box. Builders are advised that upon securing a particular property, they should immediately determine the location of this valve and verify such operating condition. If there are any defects, they should be reported to the District immediately. If no such report is made, the contractor shall then be responsible for the condition of the valve and box from that point onward. This responsibility extends not only to the builder's own operations, but also shall cover the operations of all support activities related to building construction, such as material delivery vehicles, subcontractors' vehicles, etc. It is recommended, therefore, that builders provide whatever staking, barricading, flagging, or whatever other means of protection is necessary to preserve the condition of the valve and box. As stated in the service activation section of the District By-Laws, this valve then is not to be opened until the connection fees and meter fees have been paid. The District's responsibility ends at the output side of the curb stop and all lines to the building and the water readout meter become the responsibility of the landowner, henceforth.

(Amended July 14, 1994)

### 6. ACCESSIBILITY OF WATER METER

The District utilizes a metering system consisting of a main metering element installed on the water service at the entry of the service to the building in combination with a remote readout which is located on the outside of the building. A pair of copper conductors connecting the metering element to the readout transmits the actual meter reading to the indicator on the readout. This system then allows the District to periodically read the meter without requiring entry into the building. However, the main metering element includes several conventional plumbing fittings, and as such, it will be to the owner's benefit to be able to observe its continual tightness in the system. It may also require periodic checking for accuracy, and in some cases, possible

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replacement if necessary. As such, the metering element must be installed in the building in such a manner as to provide total accessibility. If it is to be enclosed in areas covered by walls, partitions, etc., appropriate access hatches must be provided to preserve such accessibility. Under the provisions of Wyoming Statute Section 41-10-113 (a) (xiv) (1977), the District maintains the right to enter on the premises to conduct whatever inspection of the metering equipment as is necessary. The combination of the metering element, the conductor wire, and the remote outside readout is a key element in determining the revenues on which the District depends for its continued operation. Therefore, anyone adjusting or in any way tampering with either the metering element, the conductor wire, or the remote outside readout so as to result in a meter reading less than the amount of water actually used, shall be subject to prosecution under the provision of Wyoming Criminal Procedure. If there is a question concerning the readings on a meter, District personnel will perform such an inspection and make whatever adjustments necessary.

### 7. WATER SERVICE CONNECTIONS REQUIRING NEW TAP ON MAIN AND NEW SERVICE LINE AND VALVE

Where a property requires that a new tap be made on the main and a new service line and valve be provided to serve the property, the District will charge the consumer for the materials (curb stop, curb box, saddle, corporation stop, and copper service line). The consumer will be responsible for the sewer tap to the property line. Such tap cannot be made until the appropriate connection and meter charge relating to that property have been paid to the District.

(Amended July 8, 1993) (Amended June 12, 1997) (Amended September 13, 2007)

### 8. VERIFICATION OF SANITARY SEWER SERVICE DEPTH

It shall be the building contractor's responsibility to verify the exact depth of the service available to the property on which he is constructing a building. Where services have been extended from the main to the property line as part of the main installation project, wooden stakes have been placed to identify the plan view location of the end of the service stud. Upon securing a particular property, the builder should verify the location of this stake and should provide whatever protection is necessary for its preservation. It is recommended that the contractor excavate to the end of the service and determine the exact elevation of the invert prior to establishing the floor elevations for the related building. The District assumes no responsibility for the failure of a builder to be able to serve any given building by gravity flow to the District system.

### 9. SERVICE LINE MAINTENANCE RESPONSIBILITY

The maintenance and repair of (1) that part of the individual water service line which extends from the building served to the building side of the individual water service shut-off valve (generally located near the property line) and (2) the individual sanitary sewer service line extending from the building served up to the property line shall be the responsibility of the owner of the property or the building served.

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(Amended October 8, 1992) (Amended June 12, 1997)

10. WATER

A) Building Contractor's Water Conveyed Through the Building Water Service Line  
The building contractor shall pay the District for all water conveyed to a building through the building water service line from the time of the initial connection to the building until resident occupancy of the building at a rate of \$2.40 per 1000 gallons (\$15.00 minimum) as recorded on the building meter. As outlined in the service activation procedure of the District, no water is to be conveyed through the service until required tap and meter fees have been paid and until the meter is properly installed on the service line in accordance with District requirements.  
(Amended January 14, 1988) (Amended April 13, 2006) (Amended May 10, 2007) (Amended May 8, 2008)

B) Construction Water Conveyed Through a Hydrant or Other External Appurtenance

1) For Construction Within the District Limits

All users shall pay the Wright Water and Sewer District for all water withdrawn from any District hydrant or other appurtenance for use on construction water within the limits of the District, at a rate of \$3.00 per 1,000 gallons (\$15.00 minimum) as registered on the meter provided by the user, approved by the District, and affixed to the discharge of the hydrant, or appurtenance. However, all such withdrawals must be given prior approval by the Wright Water and Sewer District and shall be conducted in accordance with District requirements. The District reserves the right to terminate such withdrawals at any time.  
(Amended January 14, 1988) (Amended March 9, 2006)

2) For Construction Outside of the District Limits

The District has no obligation to furnish water for use outside of the District. All requests for such usage will be considered on an individual basis, and if the District agrees to provide such off-site usage, the charge will be \$11.905 per 1,000 gallons (50¢ per barrel), with a minimum charge of \$15.00 per billing cycle. The District, based on the individual circumstances, will determine actual charges. The District reserves the right to refuse any and all such requests.  
(Amended January 14, 1988) (Amended March 8, 2001) (Amended January 10, 2002) (Amended April 13, 2006) (Amended May 8, 2008)

To prevent back siphonage, no water shall be withdrawn from any District hydrant or other appurtenance and conveyed to the user's receiving vessel, such as a tank truck, etc., unless a minimum air break distance of 12 inches is

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maintained between the discharge of the filling line and the water level of the receiving vessel at all times. Failure to maintain such an air break will result in the District's immediate termination of such withdrawal.

C) Domestic Water Outside of District Limits

Water withdrawn from the Plant hydrant for domestic use outside the District limits will be charged at a minimum rate of \$ 13.00 per month for usage up to 9,000 gallons. Excess of 9,000 gallons will be charged at a rate of \$ 2.40 per 1,000 gallons. The District is under no obligation to provide water outside of the District limits, and reserves the right to terminate any such withdrawal at any time. Each request will be considered on an individual basis.

(Amended April 17, 1988) (Amended August 10, 2006) (Amended May 8, 2008)

D) Raw Water

Raw water withdrawn from the wells is sold as non-potable water and will be charged at a rate of \$2.35 per 1,000 gallons.

(Amended July 8, 2004) (Amended May 10, 2007) (Amended May 8, 2008)

E) Negotiated Water Within District Limits

Water sold within the District at the negotiated rate will be charged at a rate of \$7.50 per 1,000 gallons and is subject to District approval on a case-by-case basis.

(Approved May 8, 2008)

### 11. UNAUTHORIZED USE OF DISTRICT FACILITIES

Those found making unauthorized withdrawals of water from the Wright Water and Sewer District system, or those found making unauthorized conveyance of waste to the District sewer system will be subject to prosecution under the provisions of Wyoming Criminal Procedure.

### 12. COMMERCIAL AND INSTITUTIONAL IRRIGATION SYSTEMS

Plans and specifications for all irrigation systems serving areas larger than those related to individual single-family dwelling units must be submitted to the District for review and approval prior to installation. Included in the District's requirements concerning such system will be that (1) proper siphon breakers are to be installed in the system, (2) the system shall be divided into components whereby each component is supplied by a separate valved branch line not to exceed 2 inches in diameter, and (3) it is to be understood that no more than one 2-inch branch is to be operated during any given period of time. Operation of all such irrigation systems shall be coordinated with the District.

The Campbell County Cemetery Board shall be allowed a 4" irrigation tap with no lateral limitation.

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(Approved March 14, 1996)

### 13. WATER USAGE BY CIVIC GROUPS

Request for District water for use by civic groups, such as the construction of an ice rink, etc., shall be directed to the District for its consideration at least two weeks in advance of the requested date of such use. Each request will be considered on an individual basis, but in all instances, a charge will be made to cover the District's costs in providing such water.

### 14. CONTRIBUTIONS TO CHARITABLE ORGANIZATIONS

The District is a tax-funded organization dealing with public monies and shall not make contributions to charitable groups, Wyoming Constitution, Article 16, Section 6. (Amended September 13, 1994)

### 15. TOXIC WASTE PROHIBITED FROM ENTERING SANITARY SEWER

No toxic waste of any sort can be conveyed to the District system. Both the Wyoming Department of Environmental Quality and the Federal Environmental Protection Agency have taken strong positions on the introduction of such toxic waste into Publicly Owned Treatment Works (referred to as POTW by the EPA), since such wastes pass completely through a conventional domestic plant without being treated, resulting in pollution of state waters.

Paragraph (a), Part 403.5 of the Code of Federal Regulations (Title 40) states that:

"Pollutants introduced into POTW's by any source of non-domestic discharge shall not inhibit or interfere with the operation or performance of the works."

and the balance of Part 403.5 discusses the various prohibited wastes. This section is specifically aimed at those who would be responsible for the possible introduction of such toxic wastes into a Publicly Owned Treatment Works.

Parties responsible for violating these prohibitions shall be subject to fines ranging anywhere from \$10,000 to \$25,000 per day (which is covered in the Clean Water Act of 1977, P.L. 95-217). Notwithstanding the resulting fines imposed on the firms involved, the introduction of toxic waste to our system can hinder the plant capability for the entire community. As such, the District will take whatever action necessary to terminate such introduction of toxic waste, including disconnection of the offender from the system.

### 16. GROUND WATER AND STORM RUNOFF WATER PROHIBITED FROM ENTERING SANITARY SEWAGE SYSTEM

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

No ground water or storm runoff water shall be conveyed to the District sanitary sewage collection system. Specifically prohibited is the connection to the sanitary sewer of (1) any basement or other sub-level building drain systems, either by gravity or by sump pump, and (2) gutter and down spout systems.

### 17. WATER NOT TO BE RESOLD OR REDISTRIBUTED

District water conveyed to district users is solely for use on the property occupied by the user. Water conveyed by the District to individual District users is not to be resold, or redistributed free as potable water to any other person, persons, or organizations within or without the District boundaries. An exception to this would be supplying, by an automobile service station, of potable water to onboard drinking water storage tanks for such vehicles. In such case, however, the District assumes no responsibility for the potable quality of such water when redistributed by such service station users. A District user is defined as having an approved connection to the District system and paying the required District connection charges and monthly service charges. Violation of this Section shall result in the discontinuation of service to any and all properties in violation of this Section.

(Amended September 8, 1994) (Amended September 12, 1996) (Amended December 14, 2000)

### 18. PROHIBITION OF CROSS-CONNECTION BETWEEN DOMESTIC WATER SUPPLY SYSTEM AND SOURCES OF CONTAMINATION

There shall be no connection of any sort between the domestic water supply system and any sanitary waste line or any other source of contamination. To prevent cross-connections the District shall:

- A) Require that all devices, testing and hazard classifications conform to the Wyoming Department of Environmental Quality, Water Quality Rules and Regulations Chapter 12, Section 14 Distribution Systems, sub-section (i) Cross-Connections and as discussed in the following paragraphs.
- B) Consider all residential connections low hazard. Existing connections shall install an approved backflow prevention device when the meter is removed and replaced for repair. All new residential connections will require an approved backflow prevention device.
- C) Consider all non-domestic, commercial, or industrial water service connections high hazard backpressure connections, unless determined otherwise by a hazard classification.
- D) Require notification by water users of any modifications to their water systems that could produce a cross-connection hazard, including changes to water service lines, fire systems, irrigation systems, boilers, changes in business activities, toxic substances used, and other activities or physical modifications to the water system.

WRIGHT WATER & SEWER DISTRICT BY-LAWS

- E) Maintain installation and annual testing records for each high hazard backflow prevention assembly installed in the District and maintain records of those provided by the water users for their water systems.
- F) Encourage water users to have an internal cross-connection hazard survey for proposed isolation improvements.

The District shall have a hazard classification conducted to determine the degree of hazard and potential cause of backflow for each water service connection. The hazard classification should be reviewed and renewed on a regular basis, or when a new water connection is made, or when the District is aware of possible changes to a water user's system.

Any connection classified as a high hazard will be required to have an approved backflow prevention device installed within six months of the notification as a high hazard. The water user will pay all costs for the materials and installation. The backflow device may be purchased from the District or from any vendor, as long as the backflow prevention device is on the District's approved list. Failure to install an approved backflow prevention device within six months from the first notification will cause the water connection to be disconnected. Owner of the backflow prevention device will be responsible for maintenance. The District will provide testing as required by DEQ.

(Approved October 14, 2004)

In the event a backflow prevention device is found to be defective or functioning improperly during the annual testing mandated by the Wyoming Department of Environmental Quality, the water user has sixty days in which to repair or replace the device, submitting a written response to the District with a proposed plan within thirty days of failure notification to either repair or replace the device. Failure to make the necessary repairs to the backflow prevention device within this time period will be cause for the water connection to be terminated.

(Approved May 10, 2007)

19. CONSTRUCTION OF IRRIGATION WELLS WITHIN THE LIMITS OF THE WRIGHT WATER AND SEWER DISTRICT

Construction of irrigation wells within the limits of the Wright Water and Sewer District (1) must be reviewed and approved by the District on a case by case basis, (2) must receive a permit from the Wyoming State Engineer and any other appropriate regulatory agencies, and (3) must be constructed in a manner so as not to contaminate the existing water supply for the District, and there can be no connection between any system served by such an irrigation well and any part of the District system.

20. RULES OF PRACTICE GOVERNING HEARINGS AND CONTESTED CASES BEFORE THE BOARD OF DIRECTORS OF THE WRIGHT WATER AND SEWER DISTRICT

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

### A) General Provisions

#### 1. Authority

These rules are promulgated as required by the Wyoming Administrative Procedures Act, Section 16-3-101 et. seq.

#### 2. Definitions

As used in these rules:

- a. "Board" means the Board of Directors of the Wright Water and Sewer District.
- b. "Chairman" means the chairman of the Board.
- c. "Hearing" includes all contested cases.
- d. "Party" means each person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party.
- e. "Person" means any individual, partnership, corporation, association, municipality, governmental subdivision or public or private organization or any character other than an agency.

#### 3. Applicability of Rules

- a. These rules shall apply to all hearings required by law to be held with respect to any matter in which the legal rights, duties or privileges of a party are required by law to be determined by the Board after an opportunity for hearing or for due process of law.
- b. Informal or investigative hearings may be held by the Board without compliance of these rules.
- c. Hearings not in compliance with these rules may be held by the Board upon express agreement by all parties which approval shall be assumed unless a party makes specific objections in advance to the Board informing the Board of the proper procedure to be taken.
- d. All petitions filed with the Board in the form of appeals from decisions of the District employees may, at the option of the Board, be handled under these rules to the extent they are applicable.

### B) Hearings Before the Board

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

### 1. Generally

Any person whose rights have been or will be affected by any decision, order, ruling, or other action taken by the Board or to be taken by the Board has a right to a hearing before the Board.

### 2. Petition

Any person desiring to come before the Board for a hearing must file with the Board, in its office in Wright, Wyoming, a petition setting forth:

- a. A concise statement of the facts on which the petitioner relies.
- b. A statement in ordinary language, setting forth the action or decision desired by the petitioner.
- c. The name, address and telephone number of the attorney for the petitioner, if any.
- d. The signature of the petitioner and attorney for the petitioner.
- e. The legal authority, if any, known at the time of the filing of the petition, upon which the petitioner relies.

### 3. Board As Petitioner

In any matter in which the Wright Water and Sewer District is required to hold a hearing in which it has the burden of proof, the District shall be deemed the petitioner for purposes of these rules. Any notices or writings required by law for said hearing shall be deemed to be the petition for the District. Any objection by the other party to the petition for the District shall be served in writing at least three (3) working days before any scheduled hearing.

### 4. Notice of Hearing

The clerk shall cause written notice of any hearing held under these rules to be served upon each party as much time in advance of the date set for hearing as is reasonably practicable. Such notice shall include a statement of:

- a. The time, place and nature of the hearing.
- b. The legal authority and jurisdiction under which the hearing is to be held.

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- c. The particular sections of the statutes and rules involved.
- d. A short and plain statement of the matters asserted. If the clerk is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved, and thereafter upon application a more definite and detailed statement shall be furnished.

### 5. Service

Service of the Notice of Hearing may be made in person, in accordance with the Rules of Civil Procedure or by certified mail, return receipt requested, addressed to any party according to records of the District.

### 6. Hearing Examiner

- a. Whenever it shall appear, from statements of any party or other sources, that a dispute exists on any material facts, the Board, at its option, may delay further proceedings until all factual disputes are heard and recommendations made by a hearing examiner as provided in this section.
- b. The hearings' examiner shall be the presiding officer at the hearing and shall conduct all proceedings in an impartial manner.
- c. The hearing examiner shall be a qualified member of the bar of Wyoming.
- d. The hearing examiner shall make recommended findings of fact and conclusions of law to the Board in writing.
- e. The hearing examiner shall be hired by the Board and shall be entitled to a reasonable fee for his services and reimbursement for reasonable expenses incurred in connection therewith.

### 7. Adoption of Findings of Fact and Conclusions of Law

- a. The recommended Findings of Fact and Conclusions of Law certified by the hearing examiner under S5(d) of these rules shall be mailed to all parties.
- b. Any party objecting to the recommended Findings of Fact and Conclusions of Law shall present any objections at the next meeting of the Board after at least twenty-four (24) hours consideration of the recommended Findings of Fact and Conclusions of Law by all parties.
- c. The recommended Findings of Fact and Conclusions of Law shall be

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

adopted by the Board unless a majority of the members of the Board objects to the recommended Findings of Fact and Conclusions of Law. No member of the Board may object to the recommendations unless he shall have been present at the hearing or has read the transcript of the proceedings or heard or examined the official record of the hearing. The decision of the Board to adopt the recommended Findings of Fact and Conclusions of Law shall not be delayed longer than twenty (20) days from the date it is first considered by the Board at a regular or special meeting called for such purposes.

### 8. Duties of Presiding Officer

The presiding officer at any hearing shall be the Chairman, or any member of the Board authorized to act in the absence of the Chairman, or the hearing examiner as provided in S5(b) of these rules. The presiding officer shall have authority and power to:

- a. Administer oaths and affirmations;
- b. Issue subpoenas;
- c. Rule upon offers of proof and receive relevant evidence;
- d. Take or cause depositions to be taken in accordance with the provisions of the Wyoming Administrative Procedures Act and the rules of the Board;
- e. Regulate the course of the hearing;
- f. Hold conferences for the settlement or simplification of the issues;
- g. Dispose of procedural requests or similar matters;
- h. Shall cause Findings of Fact and Conclusions of Law to be finalized and filed with the Clerk;
- i. Shall cause a written decision and order to be made and filed based upon the Findings of Fact and Conclusions of Law;
- j. May recess the hearing or grant continuances for good cause;
- k. May require written briefs from any party clarifying its legal or factual position;
- l. May declare that any matter is being taken under advisement and that a decision will be announced at a later time, not to exceed twenty (20)

WRIGHT WATER & SEWER DISTRICT BY-LAWS

days;

m. Punish contempt by permanent removal from the hearing location by any person so offending;

n. Take any other action authorized by law, consistent with these rules, or required to fulfill any of his duties.

9. Order of Procedure at Hearing

As nearly as may be, hearings shall be conducted in accordance with the following order of procedure:

a. The petitioner may briefly state his case and the evidence by which he expects to sustain it.

b. The adverse party may then briefly state his defense and the evidence he expects to offer in support of it.

c. The petitioner shall first produce his evidence, the adverse party will then produce his evidence.

d. The parties will then be confined to rebutting evidence unless the presiding officer permits them to offer evidence in their original case.

e. The presiding officer may, in his discretion, allow evidence to be offered out of the order as herein prescribed.

f. Closing statements will be made in the following sequence:

(1) Petitioner

(2) Adverse party

(3) Petitioner in rebuttal

10. Witnesses at Hearings to be Sworn

All persons testifying at any hearing shall stand and be administered the following oath by the presiding officer: "Do you swear (or affirm) to tell the truth, the whole truth and nothing but the truth, in the matter now before the Board, so help you God?"

11. Disposition of Case by Stipulation

Any case may be finally disposed of by stipulation, agreed settlement, consent order or default of the parties, approved by the Board. An appropriate order accordingly shall be entered in the case record.

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

### 12. Applicable Rules of Civil Procedure to Apply

The rules of practice and procedure contained in the Rules of Civil Procedure of the State of Wyoming, insofar as the same may be applicable and not inconsistent with these rules or the laws of the State of Wyoming, shall apply in all hearings under these rules. For the application of such rules, service of the petition shall be in accordance with Rule 4 WRCP. All other notices and service of papers shall be made in accordance with Rule 5 WRCP.

### 13. Attorneys

The filing of a petition or other similar representation by an attorney constitutes his appearance for the party for whom the representation is made. The Board must be notified in writing of any withdrawal from the case. Any person appearing before the Board at a hearing in a representative capacity, shall be precluded from examining or cross-examining any witness, unless such person shall be an attorney licensed to practice in the State of Wyoming, or a nonresident attorney, associated with a Wyoming attorney. This rule shall not be construed to prohibit any person from representing himself in any hearing under these rules.

### 14. Wright Water and Sewer District Attorney Present

In all matters before the Board, or under these rules, Chairman shall request the Wright Water and Sewer District attorney to be present, to assist and advise the Board and to represent the District.

### 15. Taking of Testimony - Reporter

Where oral testimony of witnesses under oath is taken in a case under these rules, the testimony shall be reported by a competent reporter or by any other appropriate means determined by the Board or the officer presiding at the hearing. The compensation of the Reporter of taking such testimony shall be at the expense of the District. Any transcription of the proceedings or any part thereof shall be at the cost and expense of any party requesting the same, except as otherwise ordered by the Board.

### 16. Decision and Order

The Board shall make a written decision and order in all cases, which order and decision shall be filed by the Clerk in the file of the matter. The vote of the Board shall be shown in its decision.

WRIGHT WATER & SEWER DISTRICT BY-LAWS

17. Appeals

Any decision of the Board is subject to appeal to the District Court and the Supreme Court of Wyoming as provided by law.

18. Application of Wyoming Administrative Procedure Act

Whether or not herein set forth, the provisions of the Wyoming Administrative Procedure Act, Section 16-3-101 et. seq., shall govern all procedures before this Board except in all statutory proceedings before this Board should a conflict arise between the statutes and these rules, the statutes shall govern and control.

19. Severability

If any provision of these rules of practice of the application thereof to any matter is held invalid, the invalidity shall not affect the other provisions or applications of these rules which can be given effect without the invalid provision or application, and for this purpose the provisions of these rules are severable.

20. Previous Rules Superseded

From and after the effective date of these rules, the previously filed rules of practice of this Board shall be superseded and shall be of no further force or effect.

21. VIOLATION OF THE BY-LAWS, RULES, OR REGULATIONS OF WRIGHT WATER AND SEWER DISTRICT

Any violation of the By-Laws, Rules, or Regulations of the Wright Water and Sewer District shall subject the violator to liability for any and all damages, injuries, losses, or expenses incurred by the Wright Water and Sewer District which result from any such violation.

22. INTERRUPTION AND RESTORATION OF WATER/SEWER SERVICE

The user of record of any property serviced by the Wright Water and Sewer District can request interruption and subsequent restoration of service by completing a Consumer Service Agreement. A fee of \$12.00 will be required for interruption and an additional fee of \$12.00 will be required for restoration. Billing of the monthly water and sewer fee will be suspended on a prorated basis during the period of interruption. Restoration is to be done only by authorized representative of the Wright Water and Sewer District, with those making unauthorized restoration being subject to prosecution under Wyoming Criminal Procedure.

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

### 23. SIZING OF WATER MAINS

The construction of the main shall meet all DEQ standards. Minimum water main size shall be 6". If the main is within the Town of Wright, the main shall be sized and looped to provide for fire protection. If the main is outside the corporate limits of the Town of Wright, the District may require mains to provide for fire protection. If the main is outside the corporate limits of the Town of Wright, the District may require mains to provide fire flows when deemed necessary. Each case shall be reviewed on an individual basis.

(Approved April 8, 1999)

### 24. INCREASING WATER TAP SIZE

Anyone requesting installation of a tap larger than the tap already in existence must pay for all costs incurred. These costs include, but are not limited to, materials (meter, backflow preventer, curb stop, curb box, saddle, corporation stop, etc.), labor (using the current pay schedule, including hourly benefit costs), street and/or landscaping repairs, and the difference between the original tap fee paid and the tap fee in effect when the change is requested and the fees are paid. The Board reserves the right to review and/or make any exceptions on a case-by-case basis.

(Approved June 8, 2006)

WRIGHT WATER & SEWER DISTRICT BY-LAWS

CONNECTION CHARGES\*

<u>Size of Water Service</u>	<u>Water</u>	<u>Sewer</u>
3/4"	\$ 1,600.	\$ 1,600.
1"	2,100.	2,100.
1 1/2"	6,500.	6,500.
2"	9,500.	9,500.
3"	15,000.	15,000.
4"	22,000.	22,000.
6"	40,000.	40,000.

Tap fees include Meter, Backflow Preventer, and parts to install meter & backflow preventer.

(Amended July 8, 1993) (Amended October 11, 2001) (Amended November 10, 2005)  
(Amended February 9, 2006) (Amended February 14, 2008) (Amended March 13, 2008)  
(Amended February 11, 2010)

\*Each property owner in the Meister-Kornegay Annexation area paying the \$5,000 special assessment is entitled to two (2) taps at the regular price. Any additional taps purchased by each property owner will be at double the regular rate to help offset the initial costs of the waterline installation. All taps for any property split or subdivided will be at double the regular rate.

(Approved August 14, 2003)

WRIGHT WATER & SEWER DISTRICT BY-LAWS

MONTHLY WATER AND SEWER METERED RATE SCHEDULE

Mobile Home Park and RV Park

The Mobile Home Park and RV Park will be charged 1 Equivalent Residential Unit (EQR) per occupied space; laundry and shower houses will be charged as 1 EQR each; each EQR will be charged at the 3/4" water and sewer rate.

Remaining consumers will be charged by the line size as follows for water and sewer:

A. Water (January through December, inclusive)

<u>Size of Water Line</u>	<u>Minimum Monthly Bill</u>	<u>Minimum Gallons</u>	<u>Additional Charge</u>
3/4"	\$ 13.00	9,000	+\$2.40 per 1,000 gals. in excess of 9,000 gals.
1"	\$ 21.50	12,000	+\$2.40 per 1,000 gals. in excess of 12,000 gals.
1 1/2"	\$ 52.00	27,000	+\$2.40 per 1,000 gals. in excess of 27,000 gals.
2"	\$ 78.00	40,500	+\$2.40 per 1,000 gals. in excess of 40,500 gals.
3"	\$ 190.00	99,000	+\$2.40 per 1,000 gals. in excess of 99,000 gals.
4"	\$ 312.00	162,000	+\$2.40 per 1,000 gals. in excess of 162,000 gals.
6"	\$1,325.00	382,000	+\$2.40 per 1,000 gals. in excess of 382,000 gals.

(Amended May 11, 1995) (Amended August 10, 2006) (Amended May 10, 2007)  
(Amended May 8, 2008)

WRIGHT WATER & SEWER DISTRICT BY-LAWS

B. Irrigation Water (January through December, inclusive)

Size of Water Line	Minimum Monthly Bill	Minimum Gallons	Additional Charge
3/4"	\$ 13.00	9,000	+\$2.40 per 1,000 gals. in excess of 9,000 gals.
1"	\$ 21.50	12,000	+\$2.40 per 1,000 gals. in excess of 12,000 gals.
1 1/2"	\$ 52.00	27,000	+\$2.40 per 1,000 gals. in excess of 27,000 gals.
2"	\$ 78.00	40,500	+\$2.40 per 1,000 gals. in excess of 40,500 gals.
3"	\$ 190.00	99,000	+\$2.40 per 1,000 gals. in excess of 99,000 gals.
4"	\$ 312.00	162,000	+\$2.40 per 1,000 gals. in excess of 162,000 gals.
6"	\$1,325.00	382,000	+\$2.40 per 1,000 gals. in excess of 382,000 gals.

(Approved May 13, 2004) (Amended August 10, 2006) (Amended May 10, 2007)  
(Amended May 8, 2008)

C. Sewer (March through November, inclusive)

Size of Water Service	Monthly Minimum and Flat Rate
3/4"	\$ 16.50
1"	\$ 25.00
1 1/2"	\$ 55.50
2"	\$ 81.50
3"	\$ 193.50
4"	\$ 315.50
6"	\$1,328.50

WRIGHT WATER & SEWER DISTRICT BY-LAWS

Sewer (December through February, inclusive)

Size of Water Line	Minimum Monthly Bill	Minimum Gallons	Additional Charge
3/4"	\$ 16.50	9,000	+\$1.20 per 1,000 gals. in excess of 9,000 gals.
1"	\$ 25.00	12,000	+\$1.20 per 1,000 gals. in excess of 12,000 gals.
1 1/2"	\$ 55.50	27,000	+\$1.20 per 1,000 gals. in excess of 27,000 gals.
2"	\$ 81.50	40,500	+\$1.20 per 1,000 gals. in excess of 40,500 gals.
3"	\$ 193.50	99,000	+\$1.20 per 1,000 gals. in excess of 99,000 gals.
4"	\$ 315.50	162,000	+\$1.20 per 1,000 gals. in excess of 162,000 gals.
6"	\$1,328.50	382,000	+\$1.20 per 1,000 gals. in excess of 382,000 gals.

(Amended June 12, 1995) (Amended November 8, 2001) (Amended August 10, 2006) (Amended May 10, 2007) (Amended May 8, 2008) (Amended September 23, 2010)

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

### Miscellaneous Water Uses

- A. Building Contractor's Water Conveyed Through Building Water Service Line  
\$15.00 minimum or \$2.40/1000 gallons, whichever is larger. (By-Laws Section 10A).  
(Amended April 13, 2006) (Amended May 10, 2007) (Amended May 8, 2008)
- B. Construction Water Conveyed Through Hydrant or Other External Appurtenance by Non-Designated Contractor Personnel
1. For construction within District limits  
\$15.00 minimum or \$3.00/1000 gallons, whichever is larger. (By-Laws Section 10B(1)).  
(Amended March 9, 2006)
  2. For construction outside of District limits  
\$15.00 minimum or 50¢ per barrel (42 gallons), whichever is larger, with no District obligation to provide such service. (By-Laws Section 10B(2)).  
(Amended March 8, 2001) (Amended January 10, 2002) (Amended April 13, 2006) (Amended May 8, 2008)
- C. Domestic Water Outside of District Limits  
\$13.00/month up to 9,000 gallons, excess of 9,000 gallons at \$2.40/1000. (By-Laws Section 10C).  
(Amended April 17, 1989) (Amended August 10, 2006) (Amended May 8, 2008)
- D. Raw Water  
\$2.35/1000 gallons. (By-Laws Section 10D).  
(Approved May 13, 2004) (Amended May 10, 2007) (Amended May 8, 2008)
- E. Negotiated Water within District Limits  
\$7.50/1000 gallons. (By-Laws Section 10E).  
(Approved May 8, 2008)

### Miscellaneous Sewer Uses

- A. Building Contractor's Sewer Service Connected to Main Sanitary Sewer

## WRIGHT WATER & SEWER DISTRICT BY-LAWS

All building contractors requesting temporary sewer service shall pay the District a flat monthly rate comparable to the ¾" water service line rate as printed in the District By-Laws (Section C of the Monthly Water and Sewer Metered Rate Schedule) for any temporary on-site construction office connected to the sewer main.  
(Approved April 10, 2008)

### Bond Retirement Assessment Fee

A bond retirement assessment fee is effective as of July 1, 1982. This fee is subject to change from year to year depending upon the growth rate of the community. The bond retirement assessment fee is charged according to Equivalent Residential Unit (EQR) for all users in the District. This assessment schedule has been established to guarantee the retirement of bonds issued to the Wright Water and Sewer District.

### Fire Protection

The size of the water service used to determine connection charges and monthly minimum charges are based on the size required to meet normal (non-fire flow) needs when designed in accordance with Section 4 of the By-Laws.

The service charges related to oversized lines required for fire protection systems will consist of a minimum flat rate standby fire charge of \$15.00 per month, to be added to the regular water bill. The standby charge is subject to upward adjustment depending on the requirements of the particular protection system.

Water for fire suppression by the Campbell County Fire Department shall be provided at no charge.  
(Approved August 13, 2009)