

Wales Town

ORDINANCE NO. 2026-03 (REVISED FROM 2023-07)

AN ORDINANCE ESTABLISHING AND REGULATING THE WATER DEPARTMENT

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF WALES TOWN, SANPETE COUNTY, STATE OF UTAH:

WHEREAS, Wales Town, a municipal corporation of the State of Utah, is the owner of a municipal waterworks system for the purpose of furnishing water to the residents of said Town, and it is now necessary and advisable to adopt an ordinance for the controlling of said system, including amending water ordinances heretofore adopted.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. WATER DEPARTMENT AND SYSTEM:

The water department of the municipality of Wales Town is created. It shall administer the operation and maintenance of the water system of the municipality.

2. WATER OPERATOR:

There is hereby created the position of Water Operator of the water department.

3. DUTIES OF WATER OPERATOR:

The Water Operator of the water system shall manage and supervise the municipal water system pursuant to the provisions of this part and pursuant to resolutions, rules and regulations adopted by the Town Council from time to time prescribing his powers and duties and directing the manner and frequency with which he shall make reports to the Town Council relating to the water system. All of the functions and activities of the Water Operator shall be carried out under the direction of the mayor or council member appointed by the mayor.

4. APPLICATION FOR WATER CONNECTION:

Any person, other than a sub-divider or developer seeking multiple connections, whose desires or is required to secure a new connection to the Municipal water system, shall file with the water department for each such connection, a written and signed contract. No connection to the Wales Town water system shall be allowed outside of the town limits.

5. APPLICATION FOR WATER CONNECTION BY SUB-DIVIDER:

Whenever a sub-divider or developer desires or is required to install water connections and extensions for a subdivision or development, the sub-divider or developer shall enter into a written extension agreement which shall constitute an application for permission to make the extensions and connections and an agreement specifying the terms and conditions under which the water extensions and connections shall be made and the payments that shall be required. (See part 30 of this ordinance.)

6. APPLICATION FOR WATER SERVICE:

Any person, who desires or is required to secure water service when such service is available from the municipal water system, shall file with the water department a written application and agreement for the service, which shall be the "Application for Water Service to the Municipality of Wales, Utah" form. An ordinance, setting the rates, penalty fee for delinquency in payment, connection fee, inspection fee and other charges incidental to the connection and services, enacted by the Town Council will include an "Application for Water Service to the Municipality of Wales, Utah" form. Water service applications must be approved and signed by the Mayor or Councilman appointed to the Water Department.

7. SECTION 7 REMOVED (NON-OWNER APPLICANT AGREEMENT OF OWNER)

8. RATES AND CONNECTION FEES:

The rates, penalty fee for delinquency in payment, connection fee, reservoir fee, inspection fee and other charges incidental to the connection and services from the Town's water system shall be fixed from time to time by ordinance enacted by the Town Council. The Town Council may from time to time set rules for levying, billing, guaranteeing and collection of charges for water services and all other rules necessary for the management and controlling the water system. Rates for services furnished shall be uniform with respect to each class, or classes of service established, or that may hereafter be established. An ordinance setting the rates, penalty fee for delinquency in payment, connection fee, inspection fee and other charges incidental to the connection and services enacted by the Town Council will include an "Application for Water Service to the Municipality of Wales, Utah" form.

9. TEMPORARY FEES AND SERVICE CHARGES:

The Mayor and Town Council will set the schedule of rates and charges by ordinance. The Town Council may from time-to-time fix by agreement or ordinance special rates and conditions for users using exceptionally large amounts of water service or making use of the water system under exceptional circumstances, upon such terms and conditions as they may deem proper.

10. INDIVIDUAL UNIT:

A water connection shall be required for each individual unit as established in Wales Town. For the purpose of this Ordinance, an individual unit is defined as a separate apartment, office, trailer house, or other unit for housing or for business, whether or not maintained in the same building as other households or other businesses and each separate *business* or office or family shall be required to pay minimum rates herein specified, together with the additional charge for water consumption in excess of the maximum allowed under said minimum rate.

11. WATER WELLS PROHIBITED:

The drilling of a water well within the boundaries of Wales Town is prohibited.

12. USE WITHOUT PAYMENT PROHIBITED:

It shall be unlawful for any person by himself, family, servants, or agents to utilize the municipal water system without paying therefore, as herein provided, or without authority, to open any fire hydrant, stopcock, valve, or other fixtures attached to the system of water supply unless it is done pursuant to proper application, agreement, or resolution. It shall be unlawful to injure, deface, or impair any part or appurtenance of the water system or to cast anything into any reservoir or tank belonging to the water system.

13. DELINQUENCY DISCONTINUANCE OF SERVICE:

- A. The Treasurer shall furnish to each user, or mail to, or leave at his place of residence or usual place of business, a written or printed statement stating thereon the amount of water service charges assessed against him once a month. Assessed charges are due no later than the 20th day of the month, or at other regular intervals as the Town Council shall direct.
- B. The statement shall specify the amount of the bill for the water service and the place of payment and date due. If any person fails to pay the water charges within sixty (60) days from the date due, the Treasurer shall give the customer notice (page 9) in writing with the intention of discontinuing the service to the customer unless the customer pays the bill in full within five (5) days from the date of notice. If after five (5) days, payment has not been paid in full, a 24-hour shut-off notice (page 10) will be given. If after 24 hours no payment has been made the Water Operator will shut off service.
- C. If the water service is thereafter discontinued for failure to make payment, then before the water service to the premises shall again be provided, all delinquent water charges must have been paid to the Treasurer, or arrangements made for their payment in a manner satisfactory to the municipality. In the event water is turned off for non-payment of water charges, then before the water service to the premises shall again be provided, the customer shall pay, in addition to all delinquent water charges, such extra charge for turning the water on and off as the Town Council may have established by ordinance. Furthermore, in addition to such payments and penalties, a delinquent customer may be required to make and file a new application and deposit if the previous deposit has theretofore been applied to the payment of delinquent bills. This application must be approved and signed by the Mayor or Councilman appointed to the Water Department before the Water Operator is directed to return service. The Treasurer is hereby authorized and empowered to enforce the payment of all delinquent water charges by an action at law in the name of Wales Town.

14. TURNING ON WATER AFTER BEING TURNED OFF IS PROHIBITED:

It shall be unlawful for any person, after the water has been turned off from the premises for non-payment of water charges or other violations of the ordinances, rules, regulations, or resolutions pertaining to the water supply, to turn on or to allow the water to be turned on or used without authority from the Water Operator or Treasurer.

15. SEPARATE CONNECTIONS:

It shall be unlawful for two or more families or service users to be supplied from the same service pipe, connection, or water meter unless special permission for such combination usage has been granted by the Town Council and the premises served are owned by the same owner. In all such cases, a failure on the part of any one of the users to comply with this section shall warrant

a withholding of a supply of water through the service connections until compliance or payment has been made, and in any event, the property owner shall be primarily liable to the municipality for all water services utilized on all such premises. Nothing herein shall be deemed to preclude the power of the municipality to require separate pipes, connections, or meters at a subsequent time.

16. UNAUTHORIZED USERS:

It shall be unlawful for any water service user to permit any person from other premises or any unauthorized person to use or obtain water service regularly from his premises or water facilities, either outside or inside his premises.

17. PERIOD FOR VISITORS:

Individuals visiting the premises of an authorized user in a recreational vehicle, not including a mobile home, and continuing to live therein during the period of visitation may receive water service from the service pipes or facilities of the host during the visitation period which shall not exceed one (1) month. Continued use thereafter shall be deemed unauthorized and a violation of the provisions of this part relating to separate connections and unauthorized use.

18. PIPES TO BE KEPT IN GOOD REPAIR:

All users of the water service shall keep their service pipes and connections and other apparatus in good repair and protected from frost at their own expense. No person, except under the direction of the Water Operator or appointed official, shall be allowed to dig into the street for the purpose of laying, removing, or repairing any service pipe. If a leak is detected and fixed in a timely manner, the consumer may apply or make a written statement for overage relief with the Town Clerk. The Town Clerk may wave up to half of the consumer's overages with sufficient proof of repairs as determined by the Town Clerk. Appeal for further relief can be brought before Town Council at the regular meeting.

19. QUALITY OF SERVICE PIPE:

- A. All service pipes and related piping used with the municipality's water service must meet the materials, quality, and specifications established by Town Council resolution and must be installed at the depth required by water department regulations. All work, alterations, or extensions affecting water pipes are subject to approval by the Water Operator or appointed official, and no connection to a water main may be made without first obtaining a permit from the town.
- B. No consumer shall be permitted to connect water pipes across lots or buildings to adjoining premises without permission from the Water Operator or appointed official and subject to such requirements relating to controls as may be imposed by him.

20. FAULTY EQUIPMENT:

It is unlawful for any water user to:

- A. Wastewater.
- B. Allow water to be wasted through stops, taps, valves, leaky joints or pipes, or leaking or overflowing tanks or troughs.

- C. Waste water by running it from hydrants, faucets, or stops, or through basins, water closets, urinals, sinks, or other fixtures.
- D. Use water for purposes other than those stated in the application or use water in violation of the rules and regulations governing the water supply.

21. SPRINKLING VEHICLES:

Vehicles for sprinkling shall be regulated and controlled by the water department through the Water Operator or appointed official of the water department.

22. DEPARTMENT TO HAVE FREE ACCESS:

The Water Operator or appointed official and his agents shall at all ordinary hours have free access to any place supplied with water service from the municipal system for the purpose of examining the apparatus and ascertaining the amount of water service being used and the manner of its use.

23. NON-LIABILITY FOR DAMAGES:

The municipality shall not be liable for any damage to a water service user by reason of stoppage or interruption of his or her water supply service caused by fires, scarcity of water, accidents to the water system or its mains, or which occurs as the result of maintenance and extension operations, or from any other unavoidable cause. This section shall not be construed to extend the liability of the municipality beyond that provided in the Governmental Immunity Act.

24. WATER NOT SUPPLIED TO MOTORS, SYPHONS, ETC.:

No water shall be supplied from the pipes of the municipal water system for the purpose of driving motor, siphon, turbine, or other wheels, or any hydraulic engines, or elevators, or for driving or propelling machinery of any kind whatsoever, nor shall any license be granted or issued for any such purpose except by special permission of the Town Council.

25. SCARCITY OF WATER:

In times of scarcity of water, whenever it shall, in the judgment of the Mayor and Town Council, be required, the mayor shall, by proclamation, limit the use of water to such extent as may be necessary. It shall be unlawful for any person, his family, servants, or agents to violate any proclamation made by the mayor in pursuance of this section of this ordinance.

26. WASTE OF WATER:

- A. Users of water from the municipal water system shall not permit water to continue to run wastefully and without due efforts to conserve water. If, in the judgment of the Water Operator or of any of the officers of the municipality, a user of municipal water engages in practices which result in the needless waste of water and continues to do so after reasonable notice to discontinue wastefulness has been given, the Water Operator or any officer may refer the matter to the Town Council.
- B. The Town Council may thereupon consider terminating the right of the individual to use culinary water. If it elects to consider the matter of termination, it shall give notice to the water user of this intention at least five days prior to the meeting of the Town

Council at which termination of water service is to be considered. The notice shall inform him of the time and place of the meeting and of the charges which lead to the consideration of termination.

- C. A water user, who's right to utilize municipal water is being reviewed shall have opportunity to appear with or without counsel and present his reasons why his water service should not be discontinued.
- D. After a due hearing, the Town Council may arrive at a determination. If the determination is to discontinue the water user's service connection, it shall notify him of the decision and of the period during which the service will remain discontinued.

27. WATER METERS:

- A. Except as otherwise expressly permitted by this part, all structures, dwelling units, establishments and persons using water from the municipal water system must have such number of water meters connected to their water system as are necessary, in the judgment of the Water Operator or appointed official, to adequately measure use and determine water charges to the respective users.
- B. Meters will be furnished by the municipality upon application for a connection, and upon payment of such connection fees and other costs as may be established by the Town Council by ordinance.
- C. Meters shall be deemed to be and remain the property of the municipality. Whenever a dispute between the Water Operator and the property owner arises as to the appropriate number of meters to be installed on any premises, the matter shall be heard and determined by the Town Council, after due notice in writing to the parties involved.
- D. The Water Operator should cause meter readings to be taken regularly and shall advise the Treasurer thereof for the purpose of recording the necessary billings for water service.
 - a. Meters may be checked, inspected, or adjusted at the discretion of the municipality, and they shall not be adjusted or tampered with by the customer. Meter boxes shall not be opened for the purpose of turning the water on or off except by an authorized representative of the Town unless special permission is given by the Town through its representatives to the customer to do so.
 - b. If a customer submits a written request to the Water Operator to test his water meter, the municipality may, at its discretion, and if under the circumstances it deems it advisable to do so, order a test of the meter measuring the water delivered to such customer. If such request is made within twelve (12) months after the date of the last previous test, the customer may be required to pay the cost of such test. If the meter is found in such test to record from 97% to 103% accuracy under methods of testing satisfactory to the Town Council, the meter shall be deemed to accurately measure the use of water.
 - c. If the municipality's meters fail to register at any time, the water delivered during the period of failure shall be estimated based on previous consumption during a period which is not questioned. In the event a meter is found to be recording less than 97% or more than 103% of accuracy, the municipality shall make such adjustments in the customer's previous bills as are just and fair under the circumstances.
 - d. All damage or injury to the lines, meters, or other materials of the municipality, on or near the customer's premises, caused by any act or neglect of the customer, shall, at the discretion of the municipality, be repaired by and at the expense of the customer. The customer shall

pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue to the municipality through its efforts to repair the damage to the lines, meters or to other equipment of the department, or to collect such costs from the customer.

- e. **Meter Charges:** The customer will pay the water impact fees determined in the water impact fee ordinance as approved by the Town Council.

28. PERMITS FOR INSTALLATIONS:

It shall be unlawful for any person to lay, repair, alter or connect any water line to the municipal culinary water system without first having obtained a construction permit from the Water Operator or appointed official.

29. APPLICATIONS FOR INSTALLATIONS PERMITTED:

A. Applications for permits to install, repair, alter, or connect water lines to the municipal water system must be submitted in writing by a licensed plumber, the plumber's authorized agent, or the owner of the premises. The application must describe the work to be performed. The Water Operator shall grant the application if the Operator determines that:

- i. The connection, repair, alteration, or installation will not damage the street where the water main is located and will not adversely affect people whose property is already connected, or may later be connected, to the water main.
- ii. The work complies with all municipal ordinances, regulations, specifications, and material standards.
- iii. All connections, alterations, and installations will follow the line and grade designated by the Water Operator.

B. Permit and inspection fees shall be set by ordinance of the Town Council.

30. EXTENSION OF WATER MAINS WITHIN MUNICIPALITY:

Petition for Extension. Any person, including a subdivider, who desires to extend water mains within the municipality by more than 20 feet from an existing line and is willing to pay the full cost of the extension may apply to the Town Council by petition.

The petition must describe the proposed extension, include a map showing its location, and include an offer to pay the full cost of the extension, as verified by the Water Operator. The Town Council may grant or deny the petition in its discretion, based on the best interests of existing water users in the municipality.

Any extension completed under this section becomes part of the municipality's water system.

Cost Certification. Before granting a petition, the Town Council shall obtain from the Water Operator or other appointed official a certified statement of the total cost of the proposed extension.

Deposit Requirement. If the Town Council grants the petition, the petitioner shall deposit with the Treasurer the certified cost of the extension before any work begins. Unless the Town Council sets a different deadline, the deposit must be made within thirty (30) days after approval.

Refund Terms. When deciding whether to grant a petition for an extension, the Town

Council shall also decide whether any part of the cost will be refunded. The decision shall specify:

- The amount, if there is any, to be refunded.
- The conditions under which a refund will be made or credited.
- Whether the refund will be paid to the applicant or the applicant's successors or representatives.

The Town Council's determination shall be recorded in writing, and a copy shall be provided to the applicant.

Unclaimed Deposits. If any deposit remains unclaimed for five (5) years after the depositor has discontinued water service, the deposit may be forfeited and transferred to the water utility fund.

Ownership. Any extension installed under this section becomes the property of the municipality.

31. EFFECTIVE DATE:

Immediately after its adoption, this ordinance shall be signed by the Mayor and Deputy Town Clerk and shall take effect immediately upon its passage and as required by law.

PASSED AND APPROVED by the Town Council of the Town of Wales on July 7th, 2026.



James Roberts
Mayor

Attest:



Doug McMullin
Deputy Town Clerk

DELINQUENT NOTICE

The records now show and have come to the attention of the Wales Town Council that your culinary water account is past due and water services are subject to being shut off.

Your immediate attention to this delinquency is NOW warranted to ensure uninterrupted service.

A payment of \$ _____ is now required.

If no payment is received by Wales Town by this date: _____ (5 days) your service will discontinue.

To have the water reconnected the following requirements must be met.

- A. The amount of \$ _____ be paid in full.
- B. A reconnection fee of \$50.00 must be paid also.
- C. A \$100.00 Water Deposit (due to non-payment)
- D. You will be required to sign an agreement that your monthly water bill will be paid each due date, being the 20th day of each month, to: Town of Wales. HC 13 Box 4274 Wales, UT 84667.

If you then fail to keep current with this bill for water service, the service can be discontinued without notice and will not be restored until a reconnection fee is again paid plus the delinquent bill. Also, to be required will be a water deposit in the amount of \$100.00.

It is not this council's intention that this should happen.

If you believe you have a valid reason you cannot comply with this council's decision or why your service shouldn't be discontinued, this council is open to any discussion.

Wales Town Council

24-HOUR NOTICE!!
WALES TOWN WATER
HC 13 Box 4274 * Wales, Utah * 84667
Phone 435-436-9345

Date: _____

TO: _____

As of today, your delinquent balance is \$ _____.

If your **TOTAL** delinquent utility payment is not received within **24 HOURS** of this notice, water will be shut off. **This is your final notice.**

In order to have water restored after the utility has been disconnected you **MUST** pay the delinquent balance, your current bill, plus a \$50.00 re-connect fee and a \$100.00 water deposit.

Also note that if a delinquent account is paid by personal check and the bank returns the check, the utility will be cut off immediately without further notice. The back balance and the current bill along with the re-connection fee will then need to be paid in **CASH** to have your water restored.

mmm

TOTAL DUE INCLUDING DELINQUENT AND CURRENT BILLING

\$ _____.

Thank you,

Wales Town Council