Chapter 13 Municipal Utilities

ARTICLE I Water Utilities Enterprise.

Sec. 13-1. Declaration of purpose.

There is hereby created and established a Water Utilities Enterprise of the Town, for the purpose of management, maintenance, care and operation of the water works of the Town.

Sec. 13-2. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this Article shall be as follows:

1) *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, other device or vessel and the flood level rim of said vessel.
2) *Approved* means accepted by the American Water Works Association as meeting the applicable specifications stated or cited in this Article.
3) *Approved backflow prevention device* means a device accepted by the Colorado Department of Public Health and Environment.
4) *Auxiliary water supply* means any water supply on or available to the premises other than the Town's water supply or any natural sources such as a well, spring, river, stream, pond, lake, 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.
5) *Backflow* means the undesirable reversal of the direction of flow of the water or mixtures of water and other liquid, gases or other substances into the distribution pipes of the potable water supply of water from any source or sources caused by backpressure and/or backsiphonage.
6) *Backflow prevention device* means a device or means designed to prevent backflow created by backpressure, backsiphonage or backpressure and backsiphonage acting together.
7) *Backpressure* means the backflow caused by a pump, elevated tank, boiler or "head" in pipe, or any means that could create greater pressure within a piping system than that which exists within the potable water supply.
8) *Backsiphonage* means the reverse flow of water or other liquids, mixtures, gases or substances into the distribution pipes of a potable water supply system caused by negative or sub-atmospheric pressure in the potable water supply system.
9) *Certified cross-connection control device technician* means a person who has shown his or her competency and has passed the cross-connection control technician certification examination given by the Water Distribution and Wastewater Collection Systems Council. This person shall be familiar with appropriate laws, rules and regulations which

address cross-connection control. He or she shall be able to make competent tests and repairs on all approved backflow prevention devices and stay abreast of all new products and information on the subject. The technician shall be listed by the Colorado Department of Health.

10) *Check valve* means a self-closing device which is designed to permit the flow of fluids in one direction. A single check valve is not an approved backflow prevention device.
11) *Colorado Department of Health cross-connection control manual* means a manual that has been published by the State addressing cross-connection control practices which shall be used as a guidance document for implementing a cross-connection control program.
12) *Containment, protection by*, means the installation of an approved backflow prevention device or method on the water service lines servicing any premises, location, facility or area. Protection by containment shall be used when the potable water system may be contaminated or polluted by substances used or stored within a building or premises.
13) *Contamination* means the impairment of the quality of the potable water by sewage, industrial fluids, 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.
14) *Critical level* means the point on a backflow prevention device or vacuum breaker, conforming to approved standards and established by testing laboratory, which determines the minimum elevation above the flood-level rim of the fixture, highest point of usage, 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 any such approved device shall constitute the critical level.
15) *Cross-connection* means any physical arrangement whereby a potable water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, tank, plumbing fixture or the device which contains, or may contain, contaminated water, sewage or other waste, liquid or gas of unknown or unsafe quality which may be capable of imparting contamination or pollution to the potable water supply as a result of backflow. Bypass arrangements, jumper connections, removable spools, swivel or changeover devices, four-way valve connections and other temporary or permanent devices through which, or because of which, backflow could occur are considered to be cross-connections.
16) *Cross-connection, controlled*, means a connection made between a potable water system and a non potable water system with an approved backflow prevention device, properly installed and tested, that will continuously afford the protection commensurate with the degree of hazard.
17) *Double check valve assembly* means a backflow prevention device which consists of two (2) independently operating check valves which are internally loaded, with four (4) properly located test cocks for testing purposes. The assembly shall be located between two (2) drip-tight valves.
18) *Equivalent Residential Unit (ERU)*, In order to establish uniform tap fees and monthly billing rates, an ERU is any service line and/or meter that is equal to or will flow the amount of water equal to a single 3/4 inch water pipe. Such pipe shall be equal to 0.44

square inches in area. All base tap fees, monthly charges and water consumption allowances will be based upon this unit.

19) *Flood-level rim* means the edge of the receptacle from which liquid overflows.
20) *Hazard, degree of*, means the tem is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.
21) *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 used. An example of a health hazard is a structural defect, including cross connections, in a water supply system or a direct connection of a potable water supply line to a sanitary sewer.
22) *Hazard, plumbing*, means a plumbing type cross-connection in a potable water system that has not been properly protected by an air-gap separation or an approved backflow prevention device. Unprotected plumbing type cross-connections are considered to be a health hazard.
23) *Hazard, pollution*, means an actual or potential threat to the physical properties of the water system or the potability of the public or the user's potable water system and would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be a threat to life or be dangerous to health.
24) *Hazard, system* means an actual or potential threat of severe damage to the physical properties of the potable water system or the user'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 caused by a cross-connection.
25) *Industrial fluids system* means any system containing a fluid or solution which may be chemically, biologically, radiological or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution 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" originated from the potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis, circulated cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, lakes, dams, ponds, retention pits, irrigation canals or system, etc.; oils, gases, glycerine, glycols, paraffin's, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.
26) *Isolation* means the control of cross-connections within a building's plumbing system by the installation of approved backflow prevention devices or methods at or near the potential sources of pollution or contamination.
27) *Non Potable water* means water that is not safe for human consumption or that does not meet the requirements set forth in the State Primary Drinking Water regulation.
28) *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 without causing a threat to the public health.

29) *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 Primary Drinking Water regulations.
30) *Reduced pressure principle device* means an assembly of two (2) independently operating approved check valves with a hydraulic automatic operating differential relief valve between the two (2) checks closing shutoff valves and having four (4) properly located test cocks for the testing of the check and relief valves. The entire assembly shall be an approved backflow prevention device.
31) *Service area* means the extent of the water system as updated from time to time on the Town of Williamsburg Official Zoning Map.
32) *Submerged inlet* means a water pipe or extension thereof from a potable water supply terminating below the flood level rim of a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant or pollutant.
33) *Town* means the Board of Trustees, or its designee.
34) *User* means any person or business that uses water from the Town water system, whether located inside or outside of the Town.
35) *Vacuum* means any pressure less than atmospheric pressure.
36) *Vacuum breaker, atmospheric,* means a vacuum breaker consisting of an air inlet opening and a non loaded floating check disk valve designed to prevent backsiphonage only. The device shall not be subjected to continuous static line pressure or backpressure or be installed where it would be under pressure for more than twelve (12) continuous hours.
37) *Vacuum breaker, pressure*, means a vacuum breaker designed to prevent backsiphonage only, consisting of a spring-loaded check valve, a spring-loaded air inlet opening, a tightly closing shutoff valve on each side of the device and two (2) appropriately located test cocks. The device shall not be subjected to backpressure. The entire assembly shall be an approved backflow prevention device.
38) *Water distribution and wastewater collection systems certification council* means the group which has been designated by the State Department of Health to administer and maintain the cross-connection control technician certification program.
39) *Water service connection* means the terminal end of the Town's water service connection from the Town's potable water distribution system; i.e., where the Town loses jurisdiction and sanitary control over the water, after it passes through the Town’s meter. This shall include irrigation systems and fire sprinkler systems. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the potable water system.
40) *Water system* means the complete distribution system which is made up of two (2) parts: the Town's water system and the user's system. The Town's distribution system shall include the network of conduits used for the delivery of water from the source to the user's water system. The user's water system shall include those parts of the facilities beyond the Town’s water meter conveying potable water to points of use on user’s private property.

Sec. 13-3. Powers and duties of the Board of Trustees.

The Board of Trustees, or Designee shall have the immediate control and management of all things pertaining to the Town water system, and shall perform all acts that may be necessary for the prudent, efficient and economical management and protection of said water works, subject to the approval and confirmation of the Board of Trustees. The Board of Trustees shall have the power by ordinance to prescribe such other and further rates, rules and regulations as it may deem necessary.

Sec. 13-4. Receipts and deposits.

The Town Clerk shall keep a correct account of all receipts, make out all bills for water rents and materials furnished to property owners, collect the same and deposit the proceeds.

Sec. 13-5. Inspections.

Whenever, in the judgment of the Designee, he or she deems it necessary, the Designee or his or her authorized representative may inspect the premises or buildings of any water user for the purpose of examining the condition of all pipes, pumps, meters and water fixtures, or the manner in which the water is used.

Sec. 13-6. Service Area.

The service area of the water system shall be represented by a boundary line which encompasses all properties currently being served within the boundary of the Town of Williamsburg. The boundary line shall be represented on the Official Zoning Map of the Town as filed with the Fremont County Clerk and Recorder, and shall be updated as required by this Code Book.

Sec. 13-7. Application for connection and use of water.

Any person desiring to make a connection to the water system or use water therefrom shall make written application to the Town. No person shall connect to the water system or use water there from until such application has been approved and such person has otherwise complied with all relevant provisions of the Code.

Sec. 13-8. Water plant investment fee.

Any applicant desiring to take and use water from the Water System of the Town shall pay a water plant investment fee for each individual service pursuant to the schedule of fees set forth by ordinance of the Board of Trustees. Such fees shall be paid in full prior to the.installation of Town's water meter on the service line and connection of service line to property being served. Said fees shall be in addition to all other charges as set forth in this Article and elsewhere in this Code.

1. Schedule 1 . New in-town water taps.

a. All taps three-fourths (3/4) inch shall be charged a plant investment fee established by ordinance of the Board of Trustees.
b. All taps in excess of three-fourths (3/4) inch shall be charged a fee negotiated and approved by the Board of Trustees upon the recommendation of Town personnel.
c. All plant investment fees are subject to revision from time to time by ordinance made by the Board of Trustees.

2. Schedule 2. Enlargement of existing in-town water taps. In the event that a property owner applies for and obtains permission to increase the size of his or her water tap, he or she shall pay an additional water plant investment fee.
3. Schedule 3. Out-of-service area water taps. Water service to owners of property outside the boundaries of the Town's service area shall not be authorized.

Sec. 13-9. Grant of water rights required.

1. When the Town's allotment of existing water taps have been sold, no further development which requires potable water service can occur without an approved grant of water rights.
2. If development of an annexation, subdivision, or existing tract of land is expected to require more than the number of existing water taps available for sale in the Williamsburg service area, and the property owner or developer wishes to connect to the Williamsburg water system, property owner or developer shall grant to the Town, without cost to the Town, acceptable water rights in the amount of one (1) acre-foot of water for each ERU.
3. The water rights for all annexations and subdivisions as described above shall be reviewed and determined in conjunction with the Town of Florence Water Utility personnel as suppliers to the Williamsburg water system, at the time specific development plans are proposed.
4. The foregoing requirements shall be required to be satisfied one (1) time only for each annexation, subdivision, and parcel of land, unless an authorized change of use of the land occurs that will require a water supply greater than initially determined. If such is the case, the Town may require that additional water rights be granted.
5. In no case shall each additional water grant be less than one (1) full acre-foot..
6. In no case shall the Town be obligated to provide additional water service to an existing water user once the supply of existing water taps has been exhausted.

Sec. 13-10. Metered water rate schedules.

1. With the specific exception of structures with one (1) meter and containing one (1) or more dwelling units as defined in Chapter 16 of this Code, the charge for water on a monthly basis taken through a meter inside the corporate limits of the Town shall be set in accordance with CRS 37-97-103 as follows:
    a. A monthly charge established by ordinance of the Board of Trustees will be assessed.

b. In addition to the aforesaid charge, a monthly charge, to be established by ordinance of the Board of Trustees, shall be calculated on the basis of the amount of water taken through the property owner's meter.

Sec. 13-11. Estimate of charges in event of meter failure.

If any meter shall fail to register in any billing period, the water user shall be charged according to the average quantity of water used in a similar period.

Sec. 13-12. Effective date of billings.

Billing for water service and any other notices relating to the water utility shall be effective upon mailing the billing or notice to the last known address of the property owner as shown on the records of the Town Clerk.

Sec. 13-13. Payment of water charges.

All charges for the use of water as provided by this Code are due and payable at the Town Hall. All charges are due on the 15th day of the month following the billing cycle. Payment due dates may be changed by resolution of the Board of Trustees. Charges are delinquent and service is subject to termination on the 20th day of the month. Partial payments may be accepted at the sole discretion of the Town. A past due statement and notice of termination of service may be sent upon delinquency.

Sec. 13-14. Unpaid charges become a lien on property.

All water charges shall be a lien upon the property to which water is delivered from the date said charges become due until said charges are paid. The owner of every building, premises, lot or house shall be liable for all water delivered to or taken from and used upon his or her premises, which lien or liability may be enforced by the Town by action at law or suit to enforce the lien. In case the tenant in possession of any premises or buildings shall pay the water charges, it shall not relieve the landowner from such obligations and lien and the Town shall not be required to look to any person whatsoever other than the owner for the payment of water charges. No change of ownership or occupation shall affect the application of this Article and the failure of any owner to learn that he or she purchased property against which a lien for water service exists shall in no way affect his or her liability for such payment in full. The amount due and in default shall, in addition to said right of enforcement by disconnection of service, become a lien of the property and premises so served to the amount of water rent and other service charges from the date the same accrued and became due and payable; and said delinquent payments shall be enforced by assessment upon the property and premises so served and certification thereof to the County Treasurer for collection in the same manner as though they were part of the taxes.(CRS §31-20-105, 106, 107)

Sec. 13-15. Termination of service for nonpayment of charges.

In case any water user shall fail to pay all charges as prescribed by this Article, the Town may shut off the water and the water shall not be turned on again until all charges, together with the charge for turning on the water, are paid. [CRS §32-1-1006.(1)(d)]

Sec. 13-16. Charges for turning water on or off.

1. Following Termination of Service Due to Nonpayment.
    a. There shall be a charge, to be established by ordinance of the Board of Trustees, for turning the water on again after it has been turned off due to nonpayment of the bill or failure to abide by the rules and regulations as set forth in this Article. Such amounts are to be charged if the turn-on or turnoff is made during regular working hours.
    b. If the turn-on is made after regular working hours of the staff person performing the task, the charge shall be as established by ordinance of the Board of Trustees. All property owners shall be responsible for metered service until such service is actually turned off.
2. Normal Circumstances.
    a. The regular fee for turning water on to any premises after it has been turned off for any period of time shall be as established by ordinance of the Board of Trustees. This fee must be paid at the time the owner signs the application for service.
    b. The property owner or designated representative must be present at the property when the water is turned on. In the event that the owner or designated representative is not present at the scheduled time, a fee established by ordinance of the Board of Trustees will be charged for each additional trip to the property.

Sec. 13-17. Interference with water facilities prohibited,

It shall be unlawful for any person to tap any water lines or to make any connections therewith, or in any manner to interfere with the property, equipment, pipes, valves or any other water appliances of the Town, or to change or alter the position of any valve or appliance regarding the flow of water in any pipeline, without the express written authority of the Town Board. (CRS §18-4-506.5)

Failure to comply with this ordinance is subject to fines and penalties determined by the Board of Trustees as set by ordinance.

Sec. 13-18. Connections to water system.

It shall be unlawful for any person to make any connection with any water pipeline which forms a part of the Town's water system except as may be properly authorized by the Town Board. It shall be unlawful to make any connection with any privately owned water line which is connected to the Town's water system or to change, alter or renew any presently existing private

water line connected with the Town's water system with any pipe larger than that which is already in existence, except as provided herein.(CRS §18-4-506.5)

Failure to comply with this ordinance is subject to fines and penalties determined by the Board of Trustees as set by ordinance.

Sec. 13-19. Restrictions on water use.

1. The use of water from the water utility for lawn sprinkling, irrigation and/or recreation purposes may, upon recommendation of the Inspector or Designee, be prohibited or restricted as determined by resolution of the Board of Trustees. Such order shall be effective when notice thereof is published once in a newspaper published or circulated within the Town. Upon the publication of such notice, the sprinkling restrictions or prohibitions so prescribed shall take effect and any violator thereof may be punished by penalties as provided by this Code. Water shall not be used through hoses or pipes without nozzles or sprinklers attached thereto. This regulation shall apply to all users of water service.
2. In the event of an emergency that should require the immediate curtailment of the use of water from the water utility, the Town shall have the authority to make such restrictions as it deems necessary for the protection of the public.

Sec. 13-20. Shutoff of water for repairs.

Water may be shut off from any street main when necessary to repair the main or to make any connections or extensions of the water mains or to perform any other work necessary to maintain the water system.

Sec. 13-21. Reservation of rights by Town.

The use of water under the provisions of this Article shall not constitute or be deemed to be a relinquishment of any water or water right by the Town and the Town reserves the full right to determine all matters in connection with the control and use of said water.

Sec. 13-22. General regulations for water service lines.

1. Original service lines from the water main to the structure to be served shall be installed at the water user’s expense.
2. It shall be unlawful for any person other than a licensed plumber or a Town-authorized representative to install a water service line from the main to the meter pit or curb stop. All service lines shall be of Type K copper or other suitable material as determined by the Town. Corporation stops, meter risers or curb stops and service lines shall be of the size and type specified by the Town. All service lines shall be buried at least fifty-four (54) inches below the established grade of the street or ground. When the main is of greater or lesser depth, the service line shall be brought to the required depth as soon as taps shall be inspected by the Town's authorized representative prior to use.

3. The water service line from the street main to the user's system shall be of sufficient size to furnish an adequate flow of water to meet the requirements of the building at peak demand and in no case shall be less than three-fourths (3/4) inch nominal diameter.
4. In the case that the water user desires to disconnect his or her premises, he or she shall not be permitted to take up that portion of the service line between the main and the curb stop or the meter pit or take up the meter pit, but at his or her expense the water shall be shut off at the corporation stop and all appliances from the water main to and including the meter pit shall remain in the ground and become the property of the Town. New services shall not be approved by the Town and the water shall not be turned on until old service lines are dug up and the corporation stop shut off at the main.
5. A tracer wire to Town specifications must be installed from the structure being serviced through the meter location to the connection to the main service line.

Sec. 13-23. Individual service lines required.

Each property which may be sold individually (i.e. - single-family home, townhome, etc) shall be served by its own service line, and no connection with the water utility shall be made by extending the service line from one (1) property to another property.

Sec. 13-24. Maintenance of service lines and fixtures.

1. The owner of any property connected to the Town water utility shall be responsible for the maintenance of the water service line from the Town's water meter on the property of the user to the structure being served, and the owner shall keep this line in good condition and, at owner's expense, shall at all times keep all pipes, fixtures and appliances on owner's property tight and in good working order so as to prevent waste of water. An interior shut-off valve shall be maintained by owner inside the home serviced by the service line.
2. The Town will maintain the service line from the water main to the Town's water meter that serves the private property. Where a curb stop or meter pit has been installed in the service line near the actual property line, the point of change of maintenance responsibilities shall be at the curb stop or meter pit.

Sec. 13-25. Water meters: requirements and installation.

1. All water services supplied by the Water Utilities Enterprise shall be metered. Use of any water without proper metering shall be prohibited.
2. All meters shall be of a size, type and design approved by the Board of Trustees or Designee, and shall be installed in a readily accessible location for the meter reader. All water meters shall be installed either in a frost-proof meter pit or inside the structure with a remote reading device connected to allow reading from the outside of the structure. All meters shall be installed with a stopcock on each side of the meter.
3. Each meter shall be inspected by the Town Designee.
4. A record shall be made and preserved of each meter or meters installed, giving the location, the serial number and the size of the meters.

5. All meters installed for all water services at new service locations shall be installed by the Town or an authorized Designee of the Town at the expense of the property owner.
6. Replacement meters shall be installed at the expense of the Town, except in cases where replacement is due to tampering or interference as described, below.

Sec. 13-26. Maintenance of meters.

All water meters shall be maintained by the Town and shall be tested and repaired as necessary. Meters may be inspected at any reasonable time by the Town.

Sec. 13-27. Meter interference and bypass prohibited.

It shall be unlawful for any person to tamper or interfere with any meter or meter seal or to so arrange a water service or piping that the use of water will not actuate the meter. The Town shall discontinue water service immediately to any user who violates the provisions of this Section until satisfactory payment has been made for all water used and all repairs to the meter and piping. (CRS §18-4-506.5)

Failure to comply with this ordinance is subject to fines and penalties determined by the Board of Trustees as set by ordinance.

Sec. 13-28. Size of water mains.

The size of the main required to serve any part of the Town shall be determined by the Town. No main less than six (6) inches in diameter shall be placed in the water distribution system. All water system materials are subject to approval by the Town.

Sec. 13-29. Extension of water mains; payment of costs.

When water mains are extended, the property owners benefited thereby, as determined by the Town, shall pay all of the costs of extending such mains insofar as such costs relate to the size of the main required to serve the property benefited. In the event the Town requires that such main be of a size larger than eight (8) inches, the Town shall pay the additional costs over and above the cost of an eight (8) inch pipe of the same quality incurred by Town's requirement. At the time of annexation, or as the property abutting such water main is developed and connections are made to said water main, the Town may collect a charge assessed in relation to the affected property, based upon the original construction cost.

Sec. 13-30. Construction of mains for a subdivision.

1. All water mains required within a platted subdivision, including cross-ties, shall be installed at the cost of the sub divider. The sub divider shall install mains to the farthest point of his or her subdivision.
2. When a sub divider finds it necessary to extend a water main from the existing water system through land owned by someone other than the sub dividers or construct lines on the perimeter of said subdivision, the sub divider shall pay the cost of the original

construction. Cost of construction shall include the acquisition of any necessary easement, if applicable. The size of the mains shall be determined by the Town and where the required mains are larger than eight (8) inches, the Town shall pay a percentage of the cost as set forth in this Section.

3. The sub divider shall install the mains in his or her subdivision by private contractor, subject to approval by the Town of the plans and specifications and actual construction. Failure to do so may result in the Town's refusal to participate in over sizing costs and acceptance of the mains for perpetual maintenance.

Sec. 13-31. Control and operation of fire hydrants.

All fire hydrants connected to the Town's water mains shall be a part of the water system and shall be kept in repair by the Town's staff. No person, other than a fireman of the Florence Fire District, Town employee or other person authorized by the Town shall operate any fire hydrant.

Sec. 13-32. Unprotected cross-connection prohibited.

It shall be unlawful to make, install, maintain or permit any cross-connection with the water system without providing protection against backflow by proper installation and maintenance of an approved backflow prevention device to insure that it is in proper working order. Failure to permit entry to the premises shall result in discontinuance of water services to said premises.

Sec. 13-33. Inspection of user's system.

The Town shall have the authority to access and inspect any private water system to determine whether cross-connections or other violations of this Article exist, and to determine the extent and degree of hazard the system poses to the Town's water system. The Town also has the right to inspect any installed approved backflow prevention device to ensure that it is in proper working order. Failure to permit entry to the premises shall result in discontinuance of water service to said premises.

Sec. 13-34. Notice to remove or correct violation.

1. When a condition involving a violation of this Article resulting in a hazard is determined to exist, the Town shall notify in writing the owner of the premises. The notification shall include a description of the hazard and required remedial action and set a reasonable time period in which the property owner must have the violation removed or corrected.
2. If the property owner fails to correct the violation in the specified time, the Town may, if in his or her judgment an imminent health hazard exists, request that the water service to the building or premises be terminated. Additional fines or penalties, as otherwise set forth in this Code, may also be assessed following termination of service.

Sec. 13-35. Testing, repair and replacement of backflow prevention devices.

1. It shall be the responsibility of the property owner, at any premises where a backflow prevention device is installed, to have a certified operational test made immediately after original installation of the device and at least once annually thereafter at the property owner's expense. In those instances where the Town deems the hazard to be great enough, he or she may require certified inspections at more frequent intervals. All inspections and tests must be performed by a certified cross-connection control technician.
2. In the event that a device fails a test or inspection or cannot be repaired, the technician must verbally report it to the Town and the property owner. This notification shall be made immediately, if possible, but in no case later than one (1) work day after the discovery of the failing device. A written notification shall follow within three (3) working days. All devices which do not pass the certified test shall be repaired or replaced at the expense of the property owner within fifteen (15) working days of the test. The device must be re-tested by a certified technician following repairs or replacement.
3. A written report shall be submitted to the Town within five (5) working days of any test or work performed on a device. All records of the certified test, repairs and replacements of a backflow prevention device shall be maintained by the Town, the property owner and the certified technician for a period of not less than two (2) years.

Sec. 13-36. Premises requiring a backflow prevention device.

The Town's water system shall be protected against backflow from the premises by an approved backflow prevention device in the water service line in the following circumstances.

1. Auxiliary water supply: In the case of premises having an auxiliary water supply which is not or may not be safe of bacteriological, radiological or chemical quality and which is not acceptable as an additional source by the Town, the Town's water system shall be protected by an approved backflow prevention device in the service line appropriate to the degree of hazard.
2. Industrial fluids: 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 Town's water system, the Town's water system shall be protected against backflow from the premises by an approved backflow prevention device in the water service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the Town's water system which have been subject to deterioration in quality.
3. Internal cross-connections:
    a. In the case of premises having internal cross-connections that cannot be permanently corrected and controlled;
    b. Intricate plumbing and piping arrangements;

c. 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;

Sec. 13-37. Location of the backflow prevention device.

When determined to be necessary, an approved backflow prevention device shall be installed at or near the property line or immediately inside the structure being served before the first branch line leading off the water service line. In all cases, the backflow prevention device shall be installed after the water meter.

Sec. 13-38. Required types of backflow prevention devices.

1. In the case of any premises where there is an auxiliary water supply as stated in preceding paragraphs of this Article and it is not subject to any of the following rules, the Town's water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device.
2. In the case of any premises where there is water or a substance that would be objectionable but not hazardous to health, if introduced into the public water system, the Town's water system shall be protected by an approved double check valve assembly.
3. 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 Town's water system, the 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.
4. 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.
5. 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 reduced pressure principle backflow prevention device shall be installed in each service to the premises.
6. The following guidelines relating to backflow prevention devices for irrigation systems shall apply:
    a. Atmospheric vacuum breakers shall be installed after the last control valve of each sprinkler circuit and at a minimum of six (6) inches above the highest irrigation circuits with heads that will not return any pressure in the circuit when the circuit control valve is closed.
    b. Pressure vacuum breakers shall be installed at the beginning of each irrigation circuit and at a minimum of twelve (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.

c. A double check valve assembly may be installed to serve multiple irrigation circuits in lieu of vacuum breakers on each individual irrigation circuit.
d. Reduced pressure principal backflow device or air-gap separation shall be required before any piping network in which fertilizers, pesticides and other chemical or toxic contaminants are injected or siphoned into the irrigation system.

7. Water systems for fighting fire, derived from a supply that cannot be approved as safe or potable for human use, shall be kept wholly separate from drinking water pipelines and equipment. In cases where the domestic water system is used for both drinking and fire-fighting purposes, approved backflow prevention devices shall be installed to protect such individual drinking water lines as are not used for fire-fighting purposes.
8. The use of a Town fire hydrant shall only be done with the approval of the Board of Trustees or Designee. Any time water is taken out of a fire hydrant for the purpose of filling a tank or container, this will require the use of an air-gap or an approved reduced pressure principle backflow prevention device, which will be installed on the line connected to the fire hydrant.

Sec. 13-39. Standards for backflow prevention devices.

1. Any backflow prevention device required herein shall be of a model and size approved by the Director of Public Works. The standards used for approval shall be those of the American Water Works Association (A WWA), the American Society of Sanitary Engineering and the Foundation of Cross-Connection Control and Hydraulic Research (FCC & HR) of the University of Southern California in their present form and as they subsequently may be amended from time to time.
2. Those backflow prevention devices which are not subject to the approval of the laboratory listed in (1) above, i.e., in line dual checks, atmospheric vacuum breakers or hose bib vacuum breakers, shall have full approval by appropriate organizations such as the American Society of Sanitary Engineering, International Association of Plumbing and Mechanical Officials or Los Angeles Mechanical Laboratory.

Sec. 13-40. Water Utilities Enterprise.

The Board of Trustees hereby declares that pursuant to CRS Title 37, Article 45.1 et seq., the Williamsburg Water Utilities Enterprise is a water activity enterprise receiving less than ten percent (10%) of its annual revenues and grants from other governmental entities and which is authorized to issue its own revenue bonds pursuant to applicable law.

Sec. 13-41. Enterprise fees and charges.

The Board of Trustees shall adopt by ordinance for and on behalf of the Williamsburg Water Utilities Enterprise the following rates, fees, and charges:

1. Minimum and sufficient water rates, fees and charges;
2. Plant investment fees;
3. Other fees and charges as the Board of Trustees deems necessary to cover the cost of inspection, testing, fees for engineering design review, operations, maintenance, and extensions of the Town's Water System.

Sec. 13-42. Enterprise annual budget.

The Board of Trustees shall adopt an annual budget for the Williamsburg Water Utilities Enterprise, separate from the Town's general fund budget.

Sec. 13-43. Enterprise fund established.

There is hereby established a fund, to be known as the "Water Utilities Enterprise Fund" in which shall be deposited all revenues from the various Water Operations. Revenues from the various Water Operations shall be accounted for separately under the Water Utilities Enterprise Fund. All revenues related to the Water System, including but not limited to all rates, fees, credits and charges, ("System Revenues") shall be accounted for in the Water Utilities Enterprise Fund as being revenues of the Water System.
System Revenues shall be used:

1. to pay for the operation and maintenance expenses of the Water System;
2. to pay debt service on Water System debt;
3. to fund or replenish any required debt service or other reserve fund which is part of the Water Utilities Enterprise Fund;
4. for the replacement of and additions to the system; and
5. for any other purpose approved by the Board of Trustees as the Governing Body of the Williamsburg Water Utilities Enterprise.

All amounts on hand in the WaterUtilities Enterprise Fund shall be invested by the Board of Trustees in investments proper for public funds.

The Williamsburg Water Utilities Enterprise may pledge all or any portion of the Water Utilities Enterprise Fund, including revenues anticipated to be collected, to the payment of principal, interest, premium, if any, and reserves for revenue bonds or any other obligations lawfully issued or otherwise contracted for by the Williamsburg Water Utilities Enterprise for the payment or other financing of costs of the Water System, or for the purpose of refunding any obligations issued or otherwise contracted for such purpose.

Sec. 13-44. Wells.

1. When a water line borders the property line, no well is allowed and a town water tap must be purchased if one is available.

2. When a water line does not border the property line, the lot owner has the option to put the water line in and attach a tap. Alternatively, the property owner may put in a well, if an application is submitted to and accepted by the Colorado Division of Water Resources for a Residential Water Well Permit or a Domestic and Livestock Well Permit.
3. When a water line borders the property and a water tap is available, pre-existing wells may not be used for household water.

Sec. 13-45. Cisterns.

1. For the purposes of this section, a cistern is defined as a container with a capacity greater than 5 gallons used to hold water for use within a home. This does not include water storage that is an integral part of a motorhome or travel/camping trailer.
2. A cistern is allowed:
    a. If the property has a well that is authorized for household water as noted in Sec. 13-44, OR
    b. If the property is 35 acres or more;
3. A cistern is not allowed when a water line borders the property, whether or not a tap has been installed for the property.
4. A cistern, if allowed, must be buried underground.
5. Penalties for violations of this section shall be set by ordinance of the Board of Trustees, and unauthorized cisterns must be removed.
6. The use of a cistern or cisterns as the primary or sole supply of delivered potable water at any residence within or adjacent to the Williamsburg Water Utilities Enterprise distribution system is prohibited.

Secs. 13-46—13-80. Reserved.