

ORIGINAL ORDINANCE NO.: 2094
ENROLLED ORDINANCE NO.: 1858

INTRODUCED BY: PEARCE

**AN ORDINANCE OF THE CITY OF LARAMIE, ALBANY COUNTY, WYOMING
AMENDING TITLE 13.04.360 IN THE LARAMIE MUNICIPAL CODE,
NONMUNICIPAL WATER-FRANCHISE OR PERMIT REQUIRED**

WHEREAS, Pursuant to Wyoming Statutes and other law the Governing Body of the City of Laramie has the authority to improve, modify, repair, maintain, protect, and regulate the public water system and to adopt ordinances, resolutions, and regulations necessary for the health, safety, and welfare of the City and to give effect to the powers of the Governing Body.

WHEREAS, the Governing Body of the City of Laramie has determined that it is in the best interest of the citizens of the City to adopt procedures for the regulation of nonmunicipal water within the Laramie City limits.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY
OF LARAMIE, ALBANY COUNTY, WYOMING:**

Section 1: That Chapter 13.04.360 be amended in the Laramie Municipal Code as follows:

13.04.360 Nonmunicipal water—Franchise or permit required.

It is unlawful to do the following unless a franchise or permit is granted by the city ~~council~~ manager upon a determination that such franchise or permit is in the best interest of the city:

- A. To develop, drill, construct, operate, maintain, or use any water line, system, well, or works within the corporate limits of the city in order to sell, distribute, provide, or use nonmunicipal water (potable and/or non-potable) within the city;
- B. To interconnect any building, facility, landscape, lot, premises, or structure of any kind within the corporate limits of the city to any water line, system, well, or works other than to the city's water utility; or
- C. To use any portion of the city's streets, alleys, easements, or rights-of-way, or other property owned or managed by the city, for such purposes.

A preexisting water well within the corporate limits of the city that was ~~constantly (year to year) and~~ legally producing water on or before ~~June 1,~~ August 5, 2020 may continue to operate for the same purpose and capacity, ~~except when~~ without a permit from the city manager, if the owner registers the well with the city on or before July 31, 2027. Any such use ~~is~~ may be prohibited or restricted, however, from time to time for good cause by order of the city manager; ~~if the landowner notifies the city of the well on or before May 31, 2021, allows the city to obtain a GPS reading of its location, and submits a water production report to the city manager each year. The report shall be submitted to the city manager by February 15th of each year for the prior January 1 to December 31 period. For wells permitted by the State Engineer's Office (SEO) for twenty-five gallons per minute (25 GPM) or less, the annual report shall simply state whether the well was active at any time during the previous calendar year. For wells~~

~~permitted by the SEO for more than twenty-five GPM, the annual report shall state the following: the well name, SEO permit number, and volume of water produced by the well for each calendar month period and the dates of the meter readings. The landowner of a well permitted for more than twenty-five GPM shall, at the landowner's expense, install an automatic read flow meter approved by the city manager, maintain the meter in good working condition, and grant access to city staff to read the meter.~~

As further conditions of any permit under this section and as conditions of the aforementioned exception for preexisting wells:

- A. The owner of the well, including a proposed well, shall allow the city to obtain a GPS reading of the well's location and conduct routine inspections of the well and the well's ancillary system, including an inspection of the location of a proposed well;
- B. The owner of a well permitted for more than twenty-five gallons per minute (GPM) by the State Engineer's Office (SEO) may be required by the city manager to, at the owner's expense, 1) install an automatic-read flow meter approved by the city manager, maintain the meter in good working condition, and grant access to city staff to read the meter; and 2) submit a water production report to the city manager by February 15th of each year for the prior January 1 to December 31 period, which states the following: the well name, SEO permit number, and volume of water produced by the well for each calendar-month period and the dates of the meter readings;
- C. The owner of the well shall obtain an additional permit from the city manager for any change to the well's purpose of use or increase in the well's production capacity, as provided in this section; and
- D. The owner of the well shall comply with any applicable provision under Title 41 of the Wyoming Statutes, and any other law, related to the well.

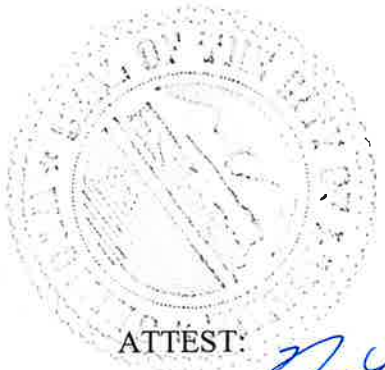
All potable and non-potable water shall be supplied by the city's water utility following annexation unless a franchise or permit is granted by the city ~~council~~ manager as provided in this section, ~~or unless the~~ aforementioned exception for preexisting wells applies.

Any person violating the provisions of this section shall, upon conviction, be punished as provided in Chapter 1.28. The city attorney may also commence an action in the name and on behalf of the city for legal and equitable relief. ~~In addition~~ For any well permitted under this section, or any preexisting well under the aforementioned exception, any violation ~~involving changes to the use or an increase in the capacity of a well that was in continuous and legal use on or before June 1, 2020 (as described above), without a permit granted by the city council, or any violation~~ provisions of the notification and reporting requirements in this section shall be cause for immediate loss of the privilege to use such well. Any violation of the routine inspection requirement may result in the loss of city services, as provided in 13.04.280.


This section shall not be construed as relieving any person or entity of any requirement imposed by Title 41 of the Wyoming Statutes or other law.

Section 2. Be it ordained by the governing body of the City of Laramie, Albany County, State of Wyoming, this ordinance shall be in full force and effect from and after its approval, passage and adoption.

PASSED, APPROVED AND ADOPTED THIS 3rd day of December 2024.



CITY OF LARAMIE



Brian Harrington, Mayor and President of the City Council

ATTEST: 

Nancy Bartholomew, CMC, City Clerk

First Reading: November 6, 2024
Public Hearing: November 18, 2024
Second Reading: November 18, 2024
Third Reading and Final Action: December 3, 2024

Duly published in the Laramie Boomerang this 6th day of December 2024.

ATTESTATION

I, Nancy Bartholomew, the City Clerk for the City of Laramie, Wyoming, do hereby certify that the above ordinance shall be adopted in its entirety after passage and publication, and posted in the manner required by law.



CITY CLERK