

AN ORDINANCE PROVIDING FOR THE REGULATION, CONTROL, AND SALE
OF WATER IN THE TOWN OF WENDOVER

BE IT ORDAINED BY THE TOWN BOARD OF WENDOVER:

CHAPTER XIV

WATER AND WATER WORKS

Section 14-1. Water Supervisor.

The Town Board shall appoint a Town Water Supervisor, whose duty it shall be to manage and supervise the Wendover Water System under the direction of the Town Board who from time to time shall by resolution prescribe his powers and duties.

Section 14-2. Written Application for water service.

Any person desiring a supply of water from the Town Water System, where such service is available, shall apply therefore to the Town Clerk and file an agreement with the Town, which said agreement and application shall be in the following form, to-wit:

APPLICATION FOR WATER SERVICE

Wendover, Utah, _____, 1960.

To the Town of Wendover, a municipal corporation:

The undersigned hereby applies for water service from the Town of Wendover, for his premises located at _____ and hereby agrees to pay service charges for water service as fixed by the Town of Wendover and in the event of a failure to pay the water charges that the Town shall have the right to shut off the water, at its election, and agrees to be bound by the rules and regulations and Ordinances of the Town of Wendover for the control of its water system.

Section 14-3. Non-owner applicants.

Applicants for water service who are not the owners of the premises to which water service is being supplied shall deposit to the water department as a guarantee payment of all water rates, the amount of \$5.00 if the service is supplied to a single family residence and the amount of \$10.00 if supplied for any other type of use. In the event the user shall fail to pay his water charges said deposit shall be applied to the payment of any delinquent charges. Upon the termination of service said deposit shall be returned to the depositor provided all such charges have been paid.

take all necessary means and make any necessary regulations as circumstances may require to protect the users of the Town Water.

Section 14-14. Water rates and collections.

The rates and connection fees for a supply of water from Wendover Water System shall be fixed by resolution of the Town Board. The Town Board may from time to time enact rules for levying, billing, guaranteeing and collecting charges for water and all rules necessary for the management and control of the Water System.

Section 14-15. Special rates.

The Town Board may from time to time fix special rates and conditions for users using an exceptionally large or small amount of water upon such terms and conditions as they may deem proper.

Section 14-16. Board of Equalization. Water rates. Rebates.

The Town Board is hereby constituted a Board of Equalization of water rates to hear complaints and make corrections of any assessments deemed to be illegal, unequal or unjust. They may, if they see fit, rebate all or any part of the water bill of any indigent person.

Section 14-17. Use without payment prohibited.

It shall be unlawful for any person by himself, family, servants, or agents, to use the water coming through Wendover water mains without first paying therefor as heretofore provided.

Section 14-18. Notice to water users. Delinquency.

The Town Clerk or Water Supervisor shall furnish to each water user or mail or leave at his place of residence or usual place of business, a printed or written notice of the amount of water rates assessed against him, and date when payable. If any person neglects, fails or refuses to pay his water rates as fixed by resolution of the Town Board within 30 (thirty) days from the date of said notice, the Town Clerk shall notify the Water

Supervisor, who shall have the water turned off from the premises of such delinquent, and before the water shall be turned on again, all delinquent water charges shall be paid in full up to the end of the term as assessed. Any water user not using water must report to the Supervisor or Clerk in advance of payment, if he desires the water shut off from his premises. Allowances will be made only for such time as the water has been ordered shut off and no allowance will be made for non-use for less than one month.

Where applicants are not the actual owners but are merely buying served premises under contract or bond for deed, or where the applicants are building contractors applying for new water service, claiming to be owners of the property, the above deposit provisions shall apply.

Applications for water service made by the tenant of an owner must, in addition to the above requirements, be accompanied by an agreement signed by the owner of the premises or his duly authorized agent to the following effect: "In consideration of the granting of the application for water services submitted by _____, tenant, I or we will pay for all water service furnished such tenant, or any other occupant of _____ premises in case such tenant or occupant shall fail to pay named in application for the same according to the ordinances, rules and regulations enacted by the Town of Wendover, Utah."

Section 14-4. Two Users on one Connection.

Where two or more families or premises are supplied from the same service pipe, the failure on the part of either of said parties to comply with these ordinances shall warrant the Town in withholding a supply of water through said service pipe until a separate service pipe with stopcock and key box is put in for each user of water under a separate application.

Section 14-5. Taker only to use water.

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

Section 14-6. Pipes to be kept in good repair.

All water users shall keep their service pipe and connections and other apparatus in good repair and protected from frost at their own expense, but no person, except under the direction of the water department, shall be allowed to dig into the street for the purpose of laying, removing, or

Section 14-7. Plumbing Permit. Report.

It shall be unlawful for any person to make any extension of any pipe or water fixture attached to the water works system for any purpose whatever without first obtaining a permit from the Water Department. Within twenty-four hours after the completion of any plumbing work connected with the Water Works System the same must be reported to the Water Department.

Reference is made to the telephone conversation between the undersigned and your office on February 17th, relative to securing, for the community of Wendover, Utah (an unincorporated town), certain utilities and other items, that are part of the Wendover Air Base, if dismantling becomes the final fate of this installation.

At the time this conversation occurred, the writer was a spokesman for a representative group of Wendover citizens known as the Wendover Committee for Incorporation. Their objective was the incorporation of this community into an incorporated town and thereby secure whatever legal standing and voice that such an entity of government can have in the State of Utah.

Since that time, at a public mass meeting held on March 9th called by the Wendover Committee for Incorporation and attended by a major part of the communities population, a committee of eleven men, of which the writer is now chairman, was chosen to represent the community. This committee was, in short, instructed to develop all phases of the proposition of incorporating the community into a town and if in its opinion, the best interests of the community would be served by such incorporation, to take the necessary steps, legal and otherwise to bring the town, as such, into being up to the point, at least, where the signatures of a majority of the qualified electors residing within the town's corporate limits would be required on a petition to the county commissioners of Tooele County. If such a majority of signatures were secured and the petitions presented to the County Commission, the community would become, in fact, an entity of Government and if the understanding is correct, would then become eligible, as a tax supported agency to secure from the United States Government, and perhaps through your office and subject to what ever priorities that local government is given, certain utilities that are indispensable to this community in the event of the closure of the Air Base, and which have been available here-to-fore to the town to some extent, through the cooperation of the Army and the Air Force.

We realize that these can only be secured if the Air Base Installation is found to be surplus to the needs of other Federal Agencies and is dismantled. However, Wendover's problems only become acute with the termination of the operation of the Air Base ~~plant~~ and the consequent and ultimate closing of the PHA housing project and its final demolition as called for in the Lanham Act.

When this comes to pass, the town will be without housing for at least 50% of its people. No ground is now available to build new dwellings on. Water lines and sewerage will have to be provided and many other things will have to be done at great expense to duplicate utilities now in existence and which have relatively low salvage value unless the community can arrange to acquire from the Government these things which are a part of the Air Base, when and if, it is demolished.

Many other problems exist in the community and among them are these:

Continuity of the communities water supply, which is at present, furnished by two sources. The older part of the community is served by the Western Pacific Railroad Co's. water supply. All of the Government owned property, as well as other individuals and organizations are served by the Air Base's Johnson Springs Water supply.

Lack of land available for private ownership which denies the ordinary avenues of financing of home construction that are available to residents in ordinary communities to the residents of this community and which, if available would allow to some extent at least, residents of this community the ability to solve their own housing problems.

At present no land is owned by anyone in the community other than the Western Pacific Railroad Co. or its subsidiary, the Standard Reality and Development Co, The United States Government, The Tooele County School Board and the L.D.S. Church with the exception of one acre of ground known as the Cokley Acre and which is completely occupied.

Almost all of the housing and businesses in the community are located on ground leased from the Standard Reality and Development Co, which for good and adequate reasons of its own, has in all cases as far as housing is concerned, with the exception of PHA housing and in most cases as far as businesses are concerned leased its property with a 30 days cancellation clause which requires that on such notice all buildings and other property of the leasee must be removed from the leased area.

All land surrounding the townsite is part of the land withdrawn from public entry by various Presidential orders and other means to make up the Wendover Bombing Range and with the exceptions of the Air Base its self is not served by utilities of any sort, if it was available which means that no home sites are available where ownership of the land can be gained.

As a possible solution to some of the problems above mentioned, this committee representing the community of Wendover has developed the following:

1. An offer from the WPRR Co. to sell to the town of Wendover, should it become incorporated. its townsite or at least the major portion thereof, so that the town as such can in turn sell to those whom by now would become its leasees the property upon which their homes are situated. The residue of land left after these sales would be principally that upon which is located the PHA housing projects and which also would become property of the town.

As part and parcel of this offer, the WPRR Co. will give the town of Wendover its water supply system in its entirety as an outright gift with the reservation that the town furnish the WPRR Co. a certain limited amount of water annually for its use thereafter without cost to the RR.

The Railroad Company with its Dieselization program approaching completion has need only for a very limited amount of water thereafter and the ballance of the supply is more than adequate for any population that the town of Wendover might have in the foreseeable future even up to the continued operation of the PHA housing project at full capacity.

Portions of the WPRR Co. water supply system are under very heavy pressure and some of this high pressure pipe line has been under ground for 25 years in corrosive soils that are typical of this area. Failure of this high pressure pipeline could thrust upon the town, burdens that it could ill afford to bear, especially in its infancy since revenues from its water sales could not be very great and a considerable period would be required to build up a sinking fund against such contingencies.

This committee then, is considering the following as a course of action that might solve some of the problems of the community.

That the community become an incorporated town.

That it accept the WPRR Co's offer and acquire both the townsite and WPRR Co's water system.

That it undertake to acquire from the United States Government, certain facilities that are indispensable to the community and to this course of action:

That it accept the offer from the WPRR Co. to sell to the town of Wendover, should it become incorporated, its townsite or at least the major portion thereof, so that the town as such can in turn sell to those whom by now would become its leasees the property upon which their homes are situated. The residue of land left after these sales would be principally that upon which is located the PHA housing projects and which also would become property of the town.

That it develop plans and agreements that will allow the town to furnish such utilities as it can to the PMA to take the place of utilities now being furnished by the Air Force and thereby make possible the temporary operation of enough of the housing project to house those people whom would otherwise be without housing during this interim of temporary housing operation. It is proposed that the PMA demolish and remove from the site the older part of the housing project South of Highway 40 and East of the access road to the Air Base and relinquish its leases on this portion of the land it has leased from the Western Pacific Railway Co. so that this land may be sold to individuals as building sites for new homes by the town should it acquire the townsite.

It is further proposed that this temporary housing operation be continued until such time as enough new housing can be constructed to accommodate people who would otherwise be without shelter.

Some of the above would not be necessary if the PMA could find it possible to declare the housing project permanent and arrange for site sales to its tenants of the units that they now occupy, but since concentrated and persistent efforts on the part of people of this community have failed to achieve this end., the only other alternative is that stated above which will permit ground to be made available for ownership by individuals so that they can qualify for housing loans and build for themselves the housing they require and the town undertake to furnish the necessary utilities for such housing when it is built.

Only two plots of ground, suitable for additional housing, exist in the townsite and one of these is that area now covered by the older part of the housing project as described above and the other is that area owned by the U.S. Government and occupied by Army, Civilian War Housing and by the W.O.A. Barracks.

Both of these areas will be required to furnish adequate space for new housing and will furnish areas that do have water lines, sewer lines and power distribution systems already in existence.

To a large extent, the ability of the town to solve its problems is contingent upon what surplus it is able to acquire from the United State Government.

This committee, then, wishes to make application for the following items listed in the order of their indispensability of the community in the name of the Town of Wendover, so that the disposing agency, whoever that might be in formulating its plans for disposition of the installation will know that an outlet exists for certain parts of its facilities.

That which is stated above is given as background so that necessities motivating the application may be properly judged and the authority of the Committee to make such application established.

This application is directed to your office in line with our telephone conversation on February 17th so that it maybe filed with your annual report to the General Services Administration. If your report has gone on to the General Service Administration will you kindly forward this request to the proper authorities of the General Service Administration.

This committee representing the community of Wendover would be very happy to meet with the proper authorities to discuss or develop its applications further.

This application was written by the undersigned at the direction of the committee and has been read and approved by the committee.

BLAIR B. LAMUS
Chairman.