

ORDINANCE 2008-02

Alto Lakes Water & Sanitation District
State of New Mexico

AN ORDINANCE AMENDING THE ORDINANCE OF THE
ALTO LAKES WATER & SANITATION DISTRICT.

WHEREAS, the Board of the Alto Lakes Water & Sanitation District (ALWSD) adopted an Ordinance (Ordinance 2008-01) which became effective on April 1, 2008; and

WHEREAS, the Board of the ALWSD intend that this Ordinance shall amend the Ordinance as previously and cumulatively amended; and

WHEREAS, this Ordinance includes the attached Table Of Amendments; and,

WHEREAS, The amended Ordinance affects all properties located within the District boundaries and all properties which lie within the District's service areas outside of the District

WHEREAS, The amended Ordinance includes changes to regulations governing water and solid waste services; and

WHEREAS, the Board of the ALWSD have published notice of a public hearing on adoption of this Ordinance; and

WHEREAS, the Board of the ALWSD held a public hearing on adoption of this Ordinance on May 22, 2008 beginning at 8:00 a.m. in the District's offices at 214 Lake Shore Drive, Alto, New Mexico 88312; and

WHEREAS, all interested parties were given an opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE ALTO LAKES WATER & SANITATION DISTRICT:

THAT, Ordinance No. 2008-02 is hereby adopted by the District Board.

THAT, this Ordinance shall become effective on June 20, 2008.

PASSED, APPROVED, and ADOPTED this 22nd day of May 2008.

B. Earl Adamy, Jr., President

Dan Knorr, Vice-President and Treasurer

David Winans, Secretary

Gary Parker, Board Member

Bill Pope, Board Member

ACKNOWLEDGEMENT:

Comes Now, David Winans, Secretary of the Board of Directors Of the Alto Lakes Water and Sanitation District and certifies that the above is a true and correct statement of a Ordinance 2008-02 adopted by the Board on the 22nd day of May, 2008.

David Winans

Ordinance 2008-02 Table of Amendments to the
Alto Lakes Water & Sanitation District Ordinance

Reference (Section Number & Paragraph)	Changes
6-G	Revised
	<p>G. New Connections.</p> <p>The District shall determine the point of service to any premises.</p> <p><u>Temporary Service:</u></p> <ul style="list-style-type: none"> a. Each application for Temporary Service on a previously unimproved property shall be accompanied by a valid building permit issued by the appropriate authority. Upon approval, the District shall have a reasonable time thereafter to provide water service. b. A one time New Connection Fee as specified in <u>Appendix A: Fee Schedule</u> shall be paid in advance of connection to the system. All Connections purchased, whether the meter is installed or not, will be subject to the minimum bill starting the first month from purchase date. c. Temporary Service shall be limited to one year unless the applicant makes a written request for a six (6) month extension. No more than two (2) such extensions will be granted by the District. d. Service will be disconnected unless Temporary Service is converted to Permanent Service while the Temporary Service remains in effect. <p><u>Permanent service:</u></p> <ul style="list-style-type: none"> a. Each application for Permanent Service on a property shall be accompanied by a valid Certificate of Occupancy issued by the authority which issued the building permit. <p>Each living unit and commercial unit shall be individually metered.</p> <p>No more than one (1) service line shall be installed on the premises for any one customer unless agreed to by the District where special circumstances exist.</p> <p>District's service laterals shall terminate at the property line and it shall be the owner's responsibility and expense to install a stop and waste valve and to make the necessary connection from the District's service lateral to the building to be served. For those systems providing fire protection, the customer shall install a pressure regulating device.</p> <p>Water service furnished by the District to any customer shall be used only in connection with such customer's residence or business to which the service is piped. No additional facilities, unit sites, or supplies shall be connected to the existing service, nor shall service be piped from on residence, business, or building to another without first obtaining written authorization from the District.</p> <p>The District will endeavor to install meters as close as possible to the property line provided there is public access to the meter location.</p> <p>All taps not physically installed, but paid for, shall be subject to any and all tap fee increases up to the time of installation.</p> <p>Upon installation of a meter, the Fire Protection Fees for the calendar year shall be pro-rated to the month in which the meter is installed.</p>
6-T	Revised

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	<p>T. Meters</p> <p>All meters used in conjunction with metered service shall be installed, maintained, and owned by the District.</p> <p>Entry into the meter can, including use of the District’s meter shut-off valve, by the Customer or the Customer’s agent is prohibited and is cause for disconnection of service.</p> <p>Each meter shall be tested and in good order before being installed.</p> <p>Upon request by the customer, the District shall make a test of the meter serving the customer and shall advise the customer that he may be present.</p> <ol style="list-style-type: none"> a. If the customer wishes to be present, he should so notify the District at the time of his request for the meter test. The District shall give the customer reasonable advance notice as to the day, time, and place of the meter test. b. A report of the results of the test shall be made to the customer within a reasonable time after the completion of test, and a record of the report shall be kept on file at the District’s offices. c. When a meter is found to be in excess of two percent (2%) error against the customer, the District shall refund an amount equal to the excess charge for the water incorrectly metered. The period of which the correction is to be made shall be the time of apparent failure; provided, however, the period shall not exceed six (6) months. No part of the Monthly Base Charge shall be refunded. d. When a meter is found to be in excess of two percent (2%) error in favor of the customer, the District shall bill an amount equal to the undercharge for the water incorrectly metered. The period of which the correction is to be made shall be the time of apparent failure; provided, however, the period shall not exceed six (6) months. The Customer will not be billed for incorrectly metered water for period between the request and the test if the interval exceeds are reasonable period of time under the circumstances. e. In the event of the stoppage or failure of the meter to registered the full amount of water consumed, the customer will be billed for such period from the time elapsed since the last previous test or the time of apparent failure provided however that the period shall not exceed six (6) months. Estimated consumption shall be based upon customer’s use of water in a similar period of like use. f. The District reserves the right to test any meter at any time.
8	<p>Rewritten: Section 8 – Solid Waste Service</p> <p>A. Applicability</p> <p>The Lincoln County Solid Waste Authority shall continue to provide residential and commercial solid and green waste services within the District under the jurisdiction of the County Commission.</p> <p>B. Alto Lakes Convenience Station.</p> <p>The District owns the land and permanent improvements at the Alto Lakes Convenience Station on High Mesa. These improvements are leased to the Authority.</p> <p>The Authority is solely responsible for the operation and maintenance of the Convenience Station. All garbage, refuse, yard, and forest waste shall be delivered to the Convenience Station during the hours and in such form as is established by the Authority.</p> <p>No person shall deposit any amount of garbage, refuse, or forest waste outside of the Convenience Station.</p>
Appendix A	Revised (see below for revised Fee Schedule)

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Appendix A: Fee Schedule

A. Water rates (adjusted 04/2007 BLS CPI-U 206.7)

Meter: Connection and Transfer Fees	Fee
New Connection Fee – 5/8” Residential and Small Commercial	\$420
New Connection Fee – 1” Large Commercial	\$462
New Connection Fee – 1-1/2” Large Commercial	\$600
New Connection Fee – 2” Large Commercial	\$720
New Connection Fee – 3” Large Commercial	\$1200
Disconnect Fee – 5/8” Residential and Small Commercial	\$120
Disconnect Fee – 1” Large Commercial	\$125
Disconnect Fee – 1-1/2” Large Commercial	\$130
Disconnect Fee – 2” Large Commercial	\$150
Disconnect Fee – 3” Large Commercial	\$200
Reconnect Fee – 5/8” Residential and Small Commercial	\$120
Reconnect Fee – 1” Large Commercial	\$125
Reconnect Fee – 1-1/2” Large Commercial	\$130
Reconnect Fee – 2” Large Commercial	\$150
Reconnect Fee – 3” Large Commercial	\$200
Residential (service furnished through one 5/8” meter)	
Base Charge	\$29.16 per month
First five thousand (5,000) gallons per month	\$2.80 per 1,000 gallons
Next five thousand (5,000) gallons per month	\$4.21 per 1,000 gallons
Next fifteen thousand (15,000) gallons per month	\$5.61 per 1,000 gallons
Next twenty five thousand (25,000) gallons per month	\$8.41 per 1,000 gallons
Over fifty thousand (50,000) gallons per month	\$28.04 per 1,000 gallons
Small Commercial (service furnished through one 5/8” meter)	
Base Charge	\$29.16 per month
First five thousand (5,000) gallons per month	\$2.80 per 1,000 gallons
Next five thousand (5,000) gallons per month	\$4.21 per 1,000 gallons
Next fifteen thousand (15,000) gallons per month	\$5.61 per 1,000 gallons
Next twenty five thousand (25,000) gallons per month	\$8.41 per 1,000 gallons
Over fifty thousand (50,000) gallons per month	\$28.04 per 1,000 gallons
Large Commercial (service furnished through one 1” to 3” meter)	
Base Charge	\$84.11 per month
First one hundred seventy-five thousand (175,000) gallons per month	\$5.05 per 1,000 gallons
Next one hundred seventy-five thousand (175,000) gallons per month	\$10.09 per 1,000 gallons
Over three hundred fifty thousand (350,000) gallons per month	\$28.04 per 1,000 gallons
Irrigation (non-potable service furnished to lake through 2”-6” line)	
Base Charge	\$12,336.50 per month
First six million six hundred thousand (6,600,000) gallons per month	\$2.80 per 1,000 gallons
Next eight million four hundred thousand (8,400,000) gallons per month	\$5.05 per 1,000 gallons
Over fifteen million (15,000,000) gallons per month	\$28.04 per 1,000 gallons
Fees and Charges for customers outside the District	
All rates shall be the same as for customers inside the District.	

B. Wastewater (adjusted 09/2007 BLS CPI-U 202.9)

Wastewater rates	
Base Charge - Site A and B town homes, ALG&CC Barns	\$30.00 per month
Base Charge - Site C	\$33.00 per month
Base Charge - Deer Park Woods Town homes	\$34.50 per month
Base Charge - Alto Lakes Golf & Country Club	\$1,500.00 per month
Commodity Charge – All users	\$4.44 per 1,000 gallons

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C. Fire Protection (adjusted 09/1990 BLS CPI-U 132.7)

Fire Protection		
	Lots in service area without meter	\$21.81 per quarter
Fees and Charges for customers outside the District		
	Base and consumption rates shall be the same as for customers inside the District.	

D. Administrative and other (established 02/2008 BLS CPI-U 210.036)

Late Payment Charges		
	Insufficient Funds Fee	\$25.00
	Interest at the rate of with a minimum charge of	01.5% per month \$5
	Premises Collection Fee	\$50
Miscellaneous Fees and Charges		
	Meter Test Fee	\$50