

ORDINANCE 2009-01

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 District Board of the ALWSD have previously adopted Ordinance(s) amending the Ordinance; and,

WHEREAS, the District 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 service areas outside of the District

WHEREAS, The amended Ordinance includes a regulations requiring a Stop Waste Valve; revisions to the Leak Credit Policy, a provision providing credits for Flushing of Premises Lines; a provision providing for irrigation of common areas in R-2 zones; a provision establishing Delinquency procedures; and establishing a fee for temporary water meter turn-off and turn-on.

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

WHEREAS, the District Board of the ALWSD held a public hearing on adoption of this Ordinance on February 26, 2009 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. 2009-01 is hereby adopted by the District Board.

THAT, this Ordinance shall become effective on March 27, 2009.

PASSED, APPROVED and ADOPTED this 26th day of February, 2009.

B. Earl Adamy, Jr., Chairman

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 2009-01 adopted by the Board on the 26th day of February 2009.

David Winans

Ordinance 2009-01 Table of Amendments to the
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Reference (Section Number & Paragraph)	Changes
5	Definitions
6-F	<p>Customer piping (Revised)</p> <p>The piping system on Customer's premise shall be inspected and approved by the appropriate governmental inspection agency. Before water service will be connected, proof of inspection is required with plumbing inspector's seal of approval.</p> <p>Cross connections or back flow possibilities revealed by any inspection shall be eliminated before water service is provided to a new Customer or continued to an existing Customer. The District does not assume responsibility for piping inspections and shall not be held liable for failure of Customer's piping or installation.</p> <p>The District shall not be responsible for the stoppage or obstruction or breaks in facilities or lines of the customer.</p> <p>Customer is required to have a Stop Waste valve installed between the meter and customer premises.</p> <p>District is not responsible for excess pressure in lines and it is recommended that each customer have an operational Pressure Control Valve.</p>
6-Q	<p>Leak Credits (Revised)</p> <p><u>Limitation:</u> no more than one Leak Credit shall be allowed in any calendar year</p> <p><u>Reference Period:</u> Month same as leak month for up to the three most recent years the customer has owned the house. If the customer has owned the house for less than one year, the average of the two months previous to the leak month shall be used.</p> <p><u>Reference Gallons:</u> Monthly average of the gallons billed during the Reference Period</p> <p><u>Eligibility:</u></p> <ol style="list-style-type: none"> a. Gallon billed for one month exceeds three (3) times the Reference Gallons. b. The customer must write a letter requesting the credit including a detailed description of the leak and a copy of the plumber's bill showing the leak has been repaired. c. Customer must have a Stop Waste valve installed between the District meter and service entry to customer premises. d. Leak credits shall not exceed 100,000 gallons <p>The District Board must authorize all leak credits.</p> <p>Leak credit adjustments will be computed by subtracting Reference Gallons from the gallons billed for the adjustment period and multiplying the difference (not to exceed 100,000 gallons) by the current rate associated with the highest rate tier applied during the Reference Period.</p>
6-U	<p>Flushing of Premises Lines (New)</p> <p>The District will allow a flushing credit when it becomes necessary to flush premises lines due to excessive sediment in the premises lines.</p> <p><u>Limitations:</u> no more than one Flushing Credit shall be allowed in any one billing period. Credit shall not exceed 1,500 gallons. Customer must have a Stop Waste valve installed between the District meter and service entry to customer</p>

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	<p>premises.</p> <p><u>Requirements:</u></p> <ul style="list-style-type: none"> a. Customer must take meter reading prior to flushing and when flushing is complete. b. Before and after meter readings must be provided to the office within 24 hours. <p>The District Manager must authorize all flushing credits. Flushing credit adjustments will be computed by subtracting the flushing credit from the bill at the highest rate(s) used in calculating the bill.</p>
19-E-b-2	<p>New: provision</p> <ul style="list-style-type: none"> 2. The landscaping and irrigation system design specifications for common areas in R-2 Zones shall provide for water usage calculated as follows: <ul style="list-style-type: none"> a. Common area(s) are required to be platted and recorded as owned in common by specific dwelling units. Landscaping and irrigation for multiple common areas under identical ownership shall be combined for the purposes of calculating permitted irrigation. Minimum and maximum allowances below shall be multiplied by the number of dwelling units. b. 0.1 gallon per month per square foot to be landscaped not to exceed 500 gallons per month when landscaping is established. c. For a maximum of four months while landscaping is getting established, 0.3 gallon per month per square foot to be landscaped not to exceed 1,500 gallons per month. d. The area to be landscaped in each common area is defined as the area enclosed by a single line drawn around the outside boundary of all landscaping. e. A minimum of 200 gallons per month shall be allowed for each dwelling unit. f. Examples: <ul style="list-style-type: none"> (1) Minimum gallons: 10 dwelling units times 200 gallons per month equals minimum of 2,000 gallons per month. (2) Maximum gallons: 10 dwelling units times 500 gallons per month equals maximum of 5,000 gallons per month.
21-I	Delinquency procedures (new)

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	<p>Disconnection of service</p> <p>Water and wastewater service shall be disconnected at such time as water and/or wastewater bills become two (2) months delinquent.</p> <p>Filing of liens</p> <p>Liens for delinquent water and wastewater service shall be filed at such time as water and/or wastewater bills become five (5) months delinquent.</p> <p>Liens for delinquent Fire Protection Service shall be filed at such time as Fire Protection bills become twelve (12) months delinquent or exceed one hundred twenty-five dollars (\$125.00)</p> <p>Liens shall carry the maximum interest rate allowable by law.</p> <p>Foreclosure</p> <p>Liens for delinquent service shall be foreclosed not more than eighteen (18) months following the date on which the lien is filed</p>
Appendix A	Revised (see below for revised Fee Schedule)

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Appendix A: Fee Schedule

A. Water rates (adj 04/2008 BLS CPI-U 214.823)		Charge	Per
Meter: Connection and Transfer Fees			
	New Connection Fee– 5/8” Residential and Small Commercial	\$436.55	
	New Connection Fee– 1” Large Commercial	\$ 480.20	
	New Connection Fee– 1-1/2” Large Commercial	\$ 623.64	
	New Connection Fee– 2” Large Commercial	\$ 748.37	
	New Connection Fee– 3” Large Commercial	\$ 1,247.28	
	Disconnect Fee – 5/8” Residential and Small Commercial	\$ 124.73	
	Disconnect Fee – 1” Large Commercial	\$ 129.93	
	Disconnect Fee – 1-1/2” Large Commercial	\$ 135.12	
	Disconnect Fee – 2” Large Commercial	\$ 155.91	
	Disconnect Fee – 3” Large Commercial	\$ 207.88	
	Reconnect Fee – 5/8” Residential and Small Commercial	\$ 124.73	
	Reconnect Fee – 1” Large Commercial	\$ 129.93	
	Reconnect Fee – 1-1/2” Large Commercial	\$ 135.12	
	Reconnect Fee – 2” Large Commercial	\$ 155.91	
	Reconnect Fee – 3” Large Commercial	\$ 207.88	
Residential (service furnished through one 5/8” meter)			
	Base Charge	\$ 30.31	month
	First five thousand (5,000) gallons per month	\$ 2.91	1000 gallons
	Next five thousand (5,000) gallons per month	\$ 4.38	1000 gallons
	Next fifteen thousand (15,000) gallons per month	\$ 5.83	1000 gallons
	Next twenty five thousand (25,000) gallons per month	\$ 8.74	1000 gallons
	Over fifty thousand (50,000) gallons per month	\$ 29.14	1000 gallons
Small Commercial (service furnished through one 5/8” meter)			
	Base Charge	\$ 30.31	month
	First five thousand (5,000) gallons per month	\$ 2.91	1000 gallons
	Next five thousand (5,000) gallons per month	\$ 4.38	1000 gallons
	Next fifteen thousand (15,000) gallons per month	\$ 5.83	1000 gallons
	Next twenty five thousand (25,000) gallons per month	\$ 8.74	1000 gallons
	Over fifty thousand (50,000) gallons per month	\$ 29.14	1000 gallons
Large Commercial (service furnished through one 1” to 3” meter)			
	Base Charge	\$ 87.42	month
	First one hundred seventy-five thousand (175,000) gallons per month	\$ 5.25	1000 gallons
	Next one hundred seventy-five thousand (175,000) gallons per month	\$ 10.49	1000 gallons

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	Over three hundred fifty thousand (350,000) gallons per month	\$ 29.14	1000 gallons
Irrigation (non-potable service furnished to lake through 2"-6" line)			
	Base Charge	\$ 12,822.56	month
	First six million six hundred thousand (6,600,000) gallons per month	\$ 2.91	1000 gallons
	Next eight million four hundred thousand (8,400,000) gallons per month	\$ 5.25	1000 gallons
	Over fifteen million (15,000,000) gallons per month	\$ 29.14	1000 gallons
Fees and Charges for customers outside the District			
	All rates shall be the same as for customers inside the District.		
B. Wastewater (adj 04/2008 BLS CPI-U 214.823)			
		Charge	Per
Wastewater rates			
	Base Charge - Site A and B town homes, ALG&CC Barns	\$30.85	month
	Base Charge - Site C Town Homes	\$ 33.93	month
	Base Charge - Deer Park Woods Town homes	\$ 35.47	month
	Base Charge – Small Commercial	\$ 30.85	month
	Base Charge – Large Commercial	\$ 1,542.30	month
	Commodity Charge – All users	\$ 4.57	1000 gallons
C. Fire Protection (adj 04/2008 BLS CPI-U 214.823)			
		Charge	Per
Fire Protection			
	Lots in service area without meter	\$ 22.67	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 (adj 04/2008 BLS CPI-U 214.823)			
		Charge	Per
Late Payment Charges			
	Insufficient Funds Fee	\$ 26.00	
	Interest at the rate of	1.50%	month
	with a minimum charge of	\$ 5.20	
	Premises Collection Fee	\$ 52.00	
Miscellaneous Fees and Charges			
	Meter Test Fee	\$ 52.00	
	Fee for temporary water meter turn-off or turn-on at customer request		
	During regular working hours with minimum 4 hours notice	\$ 50.00	
	Outside regular working hours or less than 4 hours notice	\$ 200.00	
E. Space Rentals (adj 04/2008 BLS CPI-U 214.823)			
		Charge	Per

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12' x 40' space for RV or trailer			
	All spaces	\$ 50.00	month