

ORDINANCE 2009-02

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 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, this Ordinance affects all properties located within the District boundaries and all properties which lie within service areas outside of the District

WHEREAS, the District Board of the ALWSD have previously adopted new rates, tolls and charges in the form of Ordinances and this Ordinance will allow the Board as authorized by Chapter 241 Laws of New Mexico 2009 to adopt new rates, tolls and charges in the form of a Resolution.

WHEREAS, this Ordinance provides enforcement provisions when solid waste is deposited outside of the Alto Lakes Solid Waste Convenience Station (Section 8) and provides for changing rates, fees, and tolls by Resolution as required by NM 73-21-55 which becomes effective on May 21 (Section 30).

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 May 28, 2009 beginning at 9:45 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. 2009-02 is hereby adopted by the District Board.

THAT, this Ordinance shall become effective on July 3, 2009.

PASSED, APPROVED and ADOPTED this 28th day of May, 2009.

Dan Knorr, Vice-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 2009-02 adopted by the Board on the 28th day of May 2009.

David Winans

Ordinance 2009-02 Table of Amendments to the
Alto Lakes Water & Sanitation District Ordinance

Reference (Section Number & Paragraph)	Changes
30-B	<p>Rate Setting (Revised)</p> <p>Effective with the beginning of each Fiscal Year, the District Board shall adjust all rates for changes in the Urban Cost Of Living Index occurring since the beginning of the previous Fiscal Year or the last rate adjustment, which ever shall have last occurred.</p> <p>District Board shall periodically review all costs and rates and shall adjust rates to insure that each class of customer is carrying its share of costs, debt service, and reserves.</p> <p>The rates, tolls, fees and charges in Exhibit A – Fee Schedule may be amended by the District Board by Resolution pursuant to the provisions of Chapter 241 Laws of N.M. 2009.</p>

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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 - Residential	\$30.85	month
	Commodity Charge – Residential	\$ 4.57	1000 gallons
	Base Charge – Small Commercial	\$ 30.85	month
	Base Charge – Large Commercial	\$ 1,542.30	month
	Commodity Charge – Commercial (Small and Large)	\$ 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. System Upgrade (03/2009 BLS CPI-U 212.707)			
		Charge	Per
All customers			
	Water Customers: Wastewater Treatment – Phase II	\$ 4.00	month
	Fire Protection Customers: Wastewater Treatment – Phase II	\$ 12.00	quarter
Fees and Charges for customers outside the District			
	Base and consumption rates shall be the same as for customers inside the District.		
E. 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	

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Miscellaneous Fees and Charges			
	Meter Test Fee	\$	52.00
	Fee for temporary water meter turn-off or turn-on at customer request	\$	50.00
	During regular working hours with minimum 4 hours notice	\$	200.00
	Outside regular working hours or less than 4 hours notice		
E. Space Rentals (adj 04/2008 BLS CPI-U 214.823)		Charge	Per
12' x 40' space for RV or trailer			
	All spaces	\$	50.00 month