

ORDINANCE 2011-01

Alto Lakes Water & Sanitation District
State of New Mexico

AN ORDINANCE AMENDING THE ORDINANCE OF THE ALTO LAKES WATER & SANITATION DISTRICT PROVIDING FOR UTILITY EXPANSION FEES AND WATER METER FEES FOR NEW CONNECTIONS; PROVIDING FOR CONFIRMATION AND RATIFICATION OF WATER AND SEWER SERVICE FEES; IRRIGATION WATER SERVICE FEES; ALL OTHER WATER AND WASTEWATER FEES AND CHARGES; CONNECTION AND DISCONNECTION FEES OR CHARGES; TRANSFER FEES (DISCONNECT OR RECONNECT); FEES FOR TEMPORARY METER TURN-ON OR TURN ON AT CUSTOMER REQUEST; WASTEWATER DISCONNECT SERVICE AND CAP LINE FEES, FIRE PROTECTION FEES, LATE PAYMENT CHARGES, MISCELLANEOUS FEES AND CHARGES, SPACE RENTALS 12'X40' SPACE FOR RV OR TRAILER CHARGES; REDUCING THE WATER METER FEES AND IMPOSING A UTILITY EXPANSION FEE IN AN AMOUNT EQUAL TO THE REDUCTION IN THE WATER METER FEES

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 have previously adopted Resolution(s) adopting rates, fees and tolls which amend 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; and,

WHEREAS, the Alto Lakes Water and Sanitation District Ordinance Governing the Water and Sewer Systems recorded in the records of the District established the current charges for service fees and charges for hook up to the water and sewer systems and those charges and fees are in Appendix "A" to that Ordinance; and

WHEREAS, rates for Water and Wastewater Services; Irrigation Water Service Fees; Water and Sewer Service Fees; Irrigation Water Service Fees; All Other Water and Wastewater Fees and Charges; Connection and Disconnection Fees or Charges; Transfer Fees (Disconnect or Reconnect); Fees for Temporary Meter Turn-on or Turn on at Customer Request; Wastewater Disconnect Service and Cap Line Fees, Fire Protection Fees, Late Payment Charges, Miscellaneous Fees and Charges, Space Rentals 12'X40' Space for RV or Trailer Charges; as provided in the Alto Lakes Water and Sanitation District Ordinance Governing the Water and Sewer Systems are hereby determined to be proper, valid and continuing and shall continue in effect as set out in the attached Appendix "A" which is incorporated herein as if fully set out.

WHEREAS, it is determined by the Board of Directors of the Alto Lakes Water and Sanitation District that it is necessary to impose a water utility expansion fee for service because the cost of upgrading and expanding the entire system which includes water rights, well production, storage transmission, and distribution should be reflected in a utility expansion fee imposed on new water connections so as to account for the burden of new customer service on the entire system; and

WHEREAS, it is determined by the Board of Directors of the Alto Lakes Water and Sanitation District that it is not prudent to impose new water utility expansion fees for new service because this would unduly impede new housing development, thus the water meter new connection fees should be reduced in an amount equal to the new water utility expansion fees.

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 24, 2011 beginning at 9:00 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. 2011-01 is hereby adopted by the District Board.

THAT, this Ordinance shall become effective on March 24, 2011.

PASSED, APPROVED and ADOPTED this 24th day of February, 2011.

Earl Adamy, Chairman

ACKNOWLEDGEMENT:

Comes Now, Gary Parker, 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 2011-01 adopted by the Board on the 24th day of February, 2011.

Gary Parker

Ordinance 2011-01 Table of Amendments to the
Alto Lakes Water & Sanitation District Ordinance

Reference (Section Number & Paragraph)	Changes
5	Definitions
Water Utility Expansion Fee	A fee charged concurrent with the installation of a new water meter which is intended to account for the burden of new customer service on upgrading and expanding the entire water system which includes water rights, well production, storage, transmission, and distribution.
Water Meter Fee	A fee charged for administration and installation of new water connections.
6-G	<p>New Connections (revised)</p> <p>The District shall determine the point of service to any premises.</p> <p><u>Temporary Service:</u></p> <ol 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 Water Meter Fee as specified in Appendix A: Fee Schedule 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. A one time Water Utility Expansion Fee as specified in Appendix A: Fee Schedule shall be paid in advance of connection to the system. d. 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. e. 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> <ol 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>

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	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.
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Appendix A: Fee Schedule

The currently effective Fee Schedule as established by Ordinance and amended by Resolution is incorporated by reference.