
Meeting Date: April 22, 2026
Staff Contact: Henrietta Mendez, Customer Service Division Manager

TITLE: O-26-1 – Amending the Albuquerque Bernalillo County Water Utility Authority Water and Sewer Rate Ordinance – Reconfiguration of Ordinance Structure and Credit Card Convenience Fees

ACTION: Introduction April 22, 2026; Final Action May 20, 2026

SUMMARY:

Amendments to the Albuquerque Bernalillo County Water Utility Authority (Water Authority) Rate Ordinance are requested to reorganize the ordinance to improve clarity, usability, and long-term maintenance and authorize credit card convenience fees.

The current Rate Ordinance has become difficult to use due to undefined sections, mixed content, and challenges with making updates. Over a 12-month period, staff completed a comprehensive reconfiguration to improve readability, transparency, and administrative efficiency.

The amended ordinance preserves Board authority over rates and utility rules and regulations, while relocating administrative policies to executive administrative instruction policies. The reorganized ordinance features clearly defined sections and rate and fee tables that simplify readability and future updates.

The amendment also authorizes credit card convenience fees to recover third-party processing costs. Customers will continue to have access to no-cost payment options.

The key changes included in the ordinance amendment are as follows:

- Reorganizing the Rate Ordinance with clearly defined sections and subject areas to improve readability and transparency.
- Retaining utility rates and rules and regulations within the ordinance.
- Relocating utility policies to executive and administrative instruction policies for more efficient updates.
- Authorizing credit card convenience fees to recover processing costs based on customer class, as follows:

1. Residential customers: \$1.95 per credit card transaction
2. Non-Residential customers: 2.95% of the total transaction amount

FISCAL IMPACT:

The ordinance reorganization has no direct fiscal impact and is intended to improve clarity, transparency, and administrative efficiency.

Currently, the Water Authority pays approximately \$1.6–\$1.8 million annually in merchant card processing fees. Authorizing credit card convenience fees allows these third-party costs to be recovered from customers who choose to pay by credit card, rather than being spread across all ratepayers, thereby reducing this expense and minimizing upward pressure on base rates. Customers will continue to have access to multiple no-fee payment options.

The changes would be effective on July 1, 2026.



Albuquerque Bernalillo County
Water Utility Authority

Water & Sewer Rate Ordinance

Effective July 1, 2026

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1-1-1. INTENT:

This Ordinance will be known and may be cited as the "Albuquerque Bernalillo County Water Utility Authority - Water and Sewer Rate Ordinance".

A. GENERAL PROCEDURAL PROVISIONS

The Executive Director may enact administrative procedures to carry out the purposes of this Ordinance.

B. DEFINITIONS OF TERMS

AWWA. American Water Works Association.

BOD or BIOCHEMICAL OXYGEN DEMAND. The quantity of oxygen utilized in the biochemical oxidation of organic matter by Standard Methods procedures in five days at 20° C. expressed in milligrams per liter (mg/l).

CITY. The City of Albuquerque, New Mexico.

CLASS AVERAGE. The Class Average is the average monthly water use billed in the winter months (December, January, February, and March) for each customer class and meter size. This calculation is completed annually.

CLEANOUT. A tee section in the sanitary sewer located outside any structure accessible 24 hours a day and constructed according to the Utility's standard detail.

COD or CHEMICAL OXYGEN DEMAND. A measure of the oxygen-consuming capacity of organic and inorganic matter present in wastewater as milligrams per liter (mg/l), by Standard Methods procedures.

COMMERCIAL. Retail, offices, hotels, motels, shopping centers, none of which use process water in the conduct of business. This category also includes all non-residential irrigation meters, such as those serving Homeowners Associations (HOAs).

CONSERVATION AVERAGE. An average based on a customer's Winter Average and determined as follows: For residential customers that have a Winter Average greater than zero units but less than four (4) units, and who do not fall in the category of a new account, the conservation average used for the Conservation Surcharge is four (4) units. For residential customers that have a Winter Average greater than fifteen (15) units, the conservation average used for the Conservation Surcharge is fifteen (15) units.

CONSERVATION SURCHARGE. During the billing months of May thru November, a surcharge is billed to customers that have used over a determined percentage (200%,

300%, and/or 400%) of their conservation average (the conservation average is determined by their individual Winter Average).

COST OF SERVICE. A rate setting methodology that is legally and fiscally required by bond covenants which sets water and sewer charges based upon EPA guidelines, uses a standard rate setting approach within the industry, requires users to pay their proportionate cost of the system and creates equity within classes of customers and among classes of customers.

COUNTY. Bernalillo County, New Mexico.

CUSTOMER. Any person, association, corporation, or entity receiving Utility service, related products, or services in the metropolitan Service Area.

DROUGHT. Drought occurs when there is insufficient precipitation combined with other environmental factors that cause an increase in overall water usage.

DROUGHT MANAGEMENT STRATEGY. The Water Authority's Drought Management Plan, which contains four different drought severity levels, with each level containing increasingly stringent measures to reduce demand on the Water Authority's water system.

EXECUTIVE DIRECTOR. The Executive Director of the Water Authority.

EXPENSES. All expenses that are necessary for the operation and maintenance of the water and sewer systems, excluding depreciation, amortization, and payments in lieu of taxes and expenses for capital items.

FISCAL YEAR. July 1 through June 30.

FOOD SERVICE ESTABLISHMENT or FSE. Any establishment, commercial or noncommercial, such as a restaurant, cafeteria, snack bar, temple, mosque, church, synagogue, worship hall, banquet facility, preschool, school, or meeting place, with a kitchen that is used for preparing, serving, or otherwise making available for consumption in commercial amounts in or on a receptacle that requires washing and that discharges to the Water Authority's POTW.

FRANCHISE. The authorizations granted by the City of Albuquerque, City of Rio Rancho, Bernalillo County or Village of Los Ranchos to the Water Authority to use their respective rights-of-way and public places to construct, operate, and maintain Water Authority water and wastewater systems.

INDUSTRIAL. Manufacturing, or processing facility which is engaged in producing a product.

INDUSTRIAL WASTE. Waste resulting from any process of industry, manufacturing, trade, or business, or from the development, recovery, or processing of natural resources.

INSTITUTIONAL. Government buildings, hospitals, schools, and other facilities that provide public and quasi-public services.

KIRTLAND AIR FORCE BASE (KAFB).

LATERAL SEWER. An individual user's sewer pipe starting at the public sewer and extending to the premises served. The lateral sewer includes the stub to which a user connects to the public sewer and all appurtenances on such lateral sewer. The user is responsible for the maintenance of the lateral sewer, including those portions that may be within any right-of-way. The term is interchangeable with "house service connection," "sewer service line," or "building sewer."

LOW INCOME HOUSING DEVELOPMENTS. Any multi-family residential development constructed by the City of Albuquerque or Bernalillo County or a non-profit developer in conjunction with one of these local governments which is substantially intended to provide affordable housing to very low-income citizens as defined by 60 percent (60%) or less of median income as established by the US Department of Housing and Urban Development.

METER SIZE. The physical size of a water meter as designated by AWWA Standard.

MULTI-FAMILY. Any metered/account serving more than one dwelling unit; i.e., duplexes, residences with guest houses, triplexes, fourplexes, apartment complexes, condominiums, townhomes, or mobile homes served by common meters.

NH3N OR AMMONIA NITROGEN. Total Ammonia – A measure of the total ammonia as nitrogen concentration as milligrams per liter (mg/L) by Standard Methods or EPA approved procedures.

NORMAL DOMESTIC WASTEWATER. Effluent which contains constituents and characteristics similar to effluent from a residence and specifically for the purposes of this Ordinance does not contain BOD, COD, NH3N and TSS in excess of the following concentration:

BOD -- 250 mg/l

COD -- 500 mg/l

TSS -- 330 mg/l

NH3N – 25 mg/l

PAJARITO MESA MUTUAL DOMESTIC WATER AND WASTEWATER CONSUMERS ASSOCIATION (PMMDWWCA). Non-profit organization generally located in the Pajarito land grant established in 2000 under the laws of New Mexico Sanitary Projects Act.

PUBLICLY OWNED TREATMENT WORKS or POTW. A treatment works as defined by §212 of the Clean Water Act, (33 USC 1292) which is owned by the Water Authority. The term also includes Water Authority works, as defined in §502 of the Clean Water Act, (33 USC 1362) which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. The "treatment works" includes all plants, sanitary sewers, lift stations, odor control stations, and all other properties, now or hereafter existing, used or useful in connection with the collection, pumping, disposal, and treatment of wastewater, as now or hereafter added to, expanded or improved.

RESIDENTIAL. Single-family detached, condominiums served by individual meters, townhouses served by individual meters, duplexes served by individual meters, or mobile homes served by individual meters.

RIO RANCHO. The City of Rio Rancho, New Mexico.

SERVICE AREA. Those parts of Bernalillo County and contiguous territory served by the Water Authority.

SERVICE SIZE. Service sizes range from size 1 to size 8. Each size is based upon the meter size or equivalent for each account.

STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of Standard Methods for Examination of Water and Wastewater, as prepared, approved and published jointly by the American Public Health Association and American Water Works Association and the Water Pollution Control Federation.

TOTAL SUSPENDED SOLIDS or TSS. Those solids which are retained by a standard glass fiber filter and dried to constant weight at 103 - 105° C. expressed in milligrams per liter (mg/l), by Standard Methods procedures.

UTILITY. The water and wastewater facilities and all operations and management of such facilities necessary to provide water and wastewater service in the Service Area.

UTILITY EXPANSION CHARGE (UEC). A charge assessed on new development to fund system expansion.

VILLAGE OF LOS RANCHOS. The Village of Los Ranchos de Albuquerque, New Mexico.

WASTEWATER. The used water of a community. Such used water may be a combination of the liquid waterborne wastes from residences, commercial buildings, industrial plants, and institutions.

WATER 2120 SECURING OUR WATER FUTURE. A 100-year water resource management strategy and policy document (R-16-12) which provides ratepayers with a resilient and sustainable water supply for the next century.

WATER AUTHORITY. The Albuquerque Bernalillo County Water Utility Authority or its authorized agent.

WATER RESOURCE CHARGE (WRC). A charge assessed by the Water Authority at the time of meter sale or application for service to any new water user customer requesting connection to the water system in an area not located within the Water Authority's Established Service Area.

WHOLESALE-SPECIAL CONTRACTS (SEWER). Contract customers that are responsible for a collection system from which their wastewater discharges into the Water Authority's interceptors.

WHOLESALE-SPECIAL CONTRACTS (WATER). Wholesale customers purchase bulk treated water from the Water Authority from one or more points of connection for re-sale and/or distribution within the Wholesaler's service area. Special contract customers purchase water from the Water Authority under a negotiated agreement because of unique service characteristics.

WINTER AVERAGE. For all customers, the average monthly water use billed in the months of December, January, February, and March for each account. If a customer has a new account and does not have a full four months to calculate a winter average or if a customer's winter average is zero, then the average for that customer will be based off the class and size average.

1-1-2. RESPONSIBILITY OF FEES, LIENS, AND DEPOSITS

A. FEES AND SERVICE CHARGES

The assessed Fees and Service Charges provided for herein are the personal responsibility of the owner of record, as reported by the Bernalillo County Assessor for the real property served.

B. LIENS

The Water Authority may file a lien of record on such real property for such charges including any interest or penalties accruing on same.

C. DEPOSITS

Reasonable deposits may be required of any Customer including tenants. Deposits not to exceed six months in duration. Such deposits and accrued interest shall be applied to the utility account immediately upon becoming delinquent or the expiration of a six-month period. Any credit status created by applying the deposit will be absorbed by the monthly service charges and considered prepayments for services. Such deposits shall draw reasonable interest.

D. GUIDELINES FOR BILLING PROCEDURES

The Executive Director is authorized to establish and issue guidelines for billing procedures, including but not limited to payment plans for delinquent accounts.

1-1-3. WATER RATES

A. METERED WATER SERVICE

(1) The rates and compensation to be paid to the Water Authority for public and private use of water supplied by the Water Authority for any and all purposes shall be in accordance with the following schedule of charges. Total fixed monthly charges include both monthly base charge and rehabilitation charge which are itemized on customer utility statements.

Fixed Water Base Charge (per month)

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-Family
1	5/8 X 3/4"	\$11.21	\$11.74	\$22.00	\$12.08	\$13.77
2	1"	\$23.14	\$23.63	\$46.14	\$24.06	\$28.13
3	1 1/2"	\$64.79	\$67.33	\$137.71	\$70.29	\$82.40
4	2"	\$138.89	\$143.95	\$300.38	\$150.78	\$178.12
5	3"	\$265.82	\$276.25	\$569.86	\$288.61	\$331.96
6	4"	\$600.36	\$621.50	\$1,308.53	\$652.08	\$772.78
7	6"	\$1,018.45	\$1,031.80	\$2,118.06	\$1,076.78	\$1,263.57
8	8" & over	\$2,133.01	\$2,212.50	\$4,619.30	\$2,513.62	\$2,736.60

Fixed Water Facility Rehabilitation Charge (per month)

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-Family
1	5/8 X 3/4"	\$7.01	\$7.34	\$13.74	\$7.54	\$8.61
2	1"	\$14.45	\$14.77	\$28.83	\$15.03	\$17.58
3	1 1/2"	\$40.48	\$42.07	\$86.03	\$43.92	\$51.48
4	2"	\$86.77	\$89.94	\$187.69	\$94.21	\$111.29
5	3"	\$166.08	\$172.60	\$356.06	\$180.32	\$207.41
6	4"	\$375.11	\$388.31	\$817.59	\$407.42	\$482.84
7	6"	\$636.33	\$644.67	\$1,323.37	\$672.78	\$789.49
8	8" & over	\$1,332.71	\$1,382.38	\$2,886.17	\$1,570.53	\$1,709.85

Total Fixed Monthly Water Charges

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-Family
1	5/8 X 3/4"	\$18.22	\$19.08	\$35.74	\$19.62	\$22.38
2	1"	\$37.59	\$38.40	\$74.97	\$39.09	\$45.71
3	1 1/2"	\$105.27	\$109.40	\$223.74	\$114.21	\$133.88
4	2"	\$225.66	\$233.89	\$488.07	\$244.99	\$289.41
5	3"	\$431.90	\$448.85	\$925.92	\$468.93	\$539.37
6	4"	\$975.47	\$1,009.81	\$2,126.12	\$1,059.50	\$1,255.62
7	6"	\$1,654.78	\$1,676.47	\$3,441.43	\$1,749.56	\$2,053.06
8	8" & over	\$3,465.72	\$3,594.88	\$7,505.47	\$4,084.15	\$4,446.45

(2) The rates and compensation to be paid to the Water Authority for public and private use of water supplied by the Water Authority for Wholesale-Special Contracts Water Users shall be in accordance with the following schedule of charges.

(a) Fixed Monthly Charges- Pajarito Mutual Domestic

Meter Size	Wholesale
5/8 X 3/4"	\$15.86
1"	\$32.01
1 1/2"	\$92.62
2"	\$198.87
3"	\$413.32
4"	\$918.67
6"	\$1,550.71
8" & over	\$3,289.26

(b) Fixed Monthly Charges – To'Hajilee

Meter Size	Wholesale
5/8 X 3/4"	\$29.93
1"	\$54.64
1 1/2"	\$199.71
2"	\$448.98
3"	\$1,097.89
4"	2,618.88
6"	4,088.82
8" & over	4,398.24

(c) Fixed Monthly Charges – Intel Special Contract Monthly water fixed charges will commence when ABCWUA is capable of delivering non-potable water to Intel and continue unchanged through December 31, 2025; the monthly charge shall be: \$118,097.63. Rate adjustments may occur in subsequent years as Water and Sewer Ordinance amendments.

B. UNMETERED WATER SERVICE

(1) For Service connections to the utility for private fire protection. Applicable to all services through which water is used solely for extinguishing accidental fires.

Unmetered Water Fixed Monthly Charges-Private Fire Protection

Line Size (in)	Fixed Monthly Charge
2	\$5.55
3	\$8.33
4	\$11.11
6	\$20.83
8	\$31.94
10	\$44.42
12	\$65.24

(2) Unmetered water service for any purpose other than standby fire protection will be a violation of this Ordinance and subject to the penalties specified herein; except by written agreement approved by the Executive Director.

C. WATER COMMODITY CHARGE

(1) (a) In addition to the Fixed Monthly Charge, all water used by a Customer within the Service Area for any purpose whatsoever shall be charged at the following rate per unit (one unit equals 100 cubic feet (CCF)). This is determined by the meter reading or by estimating the usage by statistical methods.

(b) Base Commodity Charge

Charge Type	Amount per Unit (CCF)	Purpose
Water Commodity Charge	\$1.739	
Facility Rehab Charge	\$0.449	For Water Rehabilitation Projects
Water Resources Management Program Charge	\$0.122	Funds the Ground-Water Protection Policy and Action Plan, the Water Conservation Program, Water Resources Management Planning, and Arsenic Investigations
Total Commodity Charge	\$2.310	
Water Conservation Charge	\$0.024	Water conservation fee charged by the State of New Mexico
Total Charge Per Unit	\$2.334	

(c) In addition to the Fixed Monthly Charge customers with a wholesale- special contract water rate shall be charged a commodity rate in accordance with the following schedule of charges.

Wholesale Contract Special Water Rate

Meter Size	Charge per CCF
Pajarito Mutual Domestic	\$1.602
To'Hajjilee	\$0.534

(3) Bills may be based on the estimated average annual water use in units, annualized and divided by 12 months, plus the fixed monthly charge. Any special charges, such as UEC, shall be included in the bill. The Executive Director may administratively adjust bills periodically by creating and debiting accounts as appropriate if errors have been found and verified.

D. LOW USAGE DISCOUNT

For residential class customers only having service sizes 1 through 3, a 50 percent (50%) discount shall be applied to the commodity charges in §1-1-3(C) for water usage greater than the customer's Winter Water Average usage during the months of April through October when water usage is equal or less than 150 percent of the Class Average water usage.

Example Table of Monthly Usage and Bill Discounts for April through October

Service Size	Class Average	X 150%	Usage is < or = to	Cust. WWA	Usage	Consumption Eligible for Discount
1	6	x 150%	= 9	8	9	1 Unit
1	6	x 150%	= 9	4	7	3 Units
1	6	x 150%	= 9	5	12	No Discount
2	7	x 150%	=11	8	10	2 Units
2	7	x 150%	=11	14	15	No Discount

E. SURCHARGES: CONSERVATION, DROUGHT, AND IRRIGATION

(1) Conservation Surcharges.

(a) For those residential customers that have a Conservation Average between 4 and 14 units, conservation surcharge amount added for each unit exceeding thresholds of the Conservation Average water usage shall be equal to 50 percent of the commodity charges in §1-1-3(C)(1)(a). Each surcharge shall be added to the total charge determined in §1-1-3(C)(1)(a) for usage during the months of April through October.

(b) For those residential customers that have a Conservation Average equal to or greater than 15 units, conservation surcharge amounts added for each unit exceeding thresholds of the Conservation Average water usage shall be equal to 100 percent of the commodity charges in §1-1-3(C)(1)(a). Each surcharge shall be added to the total charge determined in §1-1-3(C)(1)(a) for usage during the months of April through October. Each surcharge shall be added to the total charge determined in §1-1-3(C)(1)(a) for usage during the months of April through October.

Conservation Surcharge Thresholds and Rates: April-October

Conservation Surcharges	Amount per Unit (CCF)	
	Conservation Average between 4 and 14	Conservation Average ≥ 15
Usage in Excess of Winter Water Average		
>200%	\$1.155 (50%)	\$2.31 (100%)
>300%	\$1.155 (50%)	\$2.31 (100%)
>400%	\$1.155 (50%)	\$2.31 (100%)

Sample Surcharge Thresholds Calculated from Billed Usage and Conservation Average:

Cons Avg	Actual Water Usage (Units)	200% Threshold (Units)	Units Surcharged 200 %	300% Threshold (Units)	Units Surcharged 300%	400% Threshold (Units)	Units Surcharged 400%
4	29	8	21	12	17	16	13
10	35	20	15	30	5	40	0
15	75	30	45	45	30	60	15
20	79	40	39	60	19	80	0

(2) Drought Related Surcharges. Under the four levels of Drought defined in the Drought Management Strategy, the Water Authority may, at its sole discretion, increase the surcharges described in §1-1-3 based on the Drinking Water – Drought Demand Reduction Plan.

(3) Irrigation Surcharges. Irrigation only water accounts shall be assessed annually in the year following the water usage based upon an annual irrigation budget allowance established for such accounts and in accordance with the following:

(a) Water Budgets will be established by the Water Authority whenever a new irrigation account is established, or an existing account is converted to an irrigation account.

- (b) All usage will be calculated annually on a per basis. Any usage of individual wells at these sites shall be submitted in writing to the Water Authority by the 15th of the month following the use.

Annual Water Allowances for Landscaped Areas

Landscaped Area Type	Annual Water Allowance (inches/year)
Golf courses- existing before 10/1/1995	40 inches
Golf Courses- new or existing after 10/1/1995	37 inches
Athletic Fields	45 inches
All Other Landscaped Areas	35 inches

- (c) A surcharge will be applied to the usage above the annual irrigation budget allowance.

Excess Irrigation Water Usage Surcharge Rates

Excess Usage Tier	Excess Percentage of Annual Irrigation Budget	Surcharge % of Commodity Charge	Surcharge Rate per Unit (CCF)
First Tier	≤150%	50%	\$1.155
Second Tier	> 150%	100%	\$2.310
Third Tier	> 200%	150%	\$3.465

F. MULTIPLE METER SERVICE

Each Customer Classification on the same premise requires a separate meter. Customers with service by more than one (1) meter to any premise shall be charged for the applicable fees associated with each meter except for single-family residential Customers who have two (2) meters, of which one (1) is used for irrigation. The monthly fixed charge for these single-family residential Customers will be based on the largest meter at the single-family residence.

G. WATER CREDIT ELIGIBILITY AND PROCEDURES

- (1) Single-family detached, condominiums, townhouses, duplexes, triplexes, or fourplexes served by common or individual meters; mobile homes served by individual meters; but limited to those Customers who own the dwelling in which they reside and qualify under the United States Department of Health and Human Services poverty guidelines.

- (2) The Executive Director shall establish procedures regarding certification for water credits and shall periodically make administrative changes to the income guidelines as circumstances require.

H. WATER CREDIT

The water credit shall be calculated using the Fixed Monthly Charge as set forth in this Ordinance. For those accounts included within the Water Credit classification, a credit equal to the sum of the water fixed monthly charge and the water fixed monthly facility rehabilitation charge will be applied to their billing.

I. WATER ASSISTANCE FUND

- (1) The Water Assistance Fund (WAF) is established to offer one-time, emergency assistance for qualifying low-income Water Authority customers having difficulty paying their water and sewer bills.

- (2) The Executive Director is authorized to establish program guidelines for qualification and eligibility procedures and shall periodically make administrative changes to the guidelines as circumstances require.

J. OWNER'S RESPONSIBILITY TO CONNECT SERVICE LINE

Real property owners receiving water service from the Water Authority are responsible for hiring a licensed plumber to connect their customer service line to the Water Authority system at the point of metered service, or obtain a Homeowner Permit from the permitting Agency, allowing the property owner to make the connection.

K. INDEPENDENT SERVICE

Each legally platted property shall have an individual, independent water service, and fire line (if applicable). No property shall share a water service or fire line with any other.

1-1-4. NON-POTABLE WATER RATES

A. METERED SERVICE

- (1) The rates and compensation to be paid to the Water Authority for public and private use of non-potable water supplied by the Water Authority within the Service Area for any and all purposes shall be in accordance with the schedule of charges listed in §1-1-3(A) for potable water metered service.
- (2) Redundant potable water and non-potable water metered services are not required for non-potable service.

B. COMMODITY CHARGE

- (1) In Addition to the Fixed Monthly Charge, all non-potable water used by a Customer within the Service Area shall be charged at the rate corresponding to 80 percent of the potable water commodity rate (one unit equals 100 cubic feet). This is determined by the meter reading or by estimating the usage by statistical methods. Customers shall pay bills monthly.
- (2) Bills may be based on the estimated average annual non-potable water use by units, annualized and divided by 12 months, plus the fixed monthly charge. Any special charges, such as UEC, shall be included in the bill. The Executive Director may administratively adjust bills periodically by creating and debiting accounts as appropriate if errors have been found and verified.
- (3) All surcharges for irrigation-only water accounts shall be charged at the rate based upon the non-potable water commodity rate (one unit equals 100 cubic feet).

Non-Potable Water Commodity Charge per CCF

Charge Type	Amount per Unit (CCF)
80% of Potable Water Commodity Charge	\$1.3668
80% of Facility Charge	\$0.3592
Water Resources Management Program Charge	\$0.122
Total Commodity Charge	\$1.848
Water Conservation Charge	\$0.024
Total Charge Per Unit	\$1.872

C. MULTIPLE METER SERVICE

Customers receiving non-potable water service through more than one meter at a premise shall be charged the applicable fees for each meter.

D. TAG AND TESTING CHARGE

Refer to §1-1-7 (H) for applicable provisions and charges.

E. NON-POTABLE WATER METER AND SERVICE INSTALLATION FEE

- (1) Refer to §1-1-7 for applicable provisions and charges.
- (2) Customers that are currently using potable water for irrigation or other qualified industrial purposes as determined by the Water Authority and whose property is located within 200-feet of a non-potable water line are required to connect to the non-potable system within one year of service availability. Connection to a non-potable

system is a condition of service. The Water Authority is required to provide written notification to the property owner that non-potable water is available, and that connection to the system is mandatory. If requested, the Water Authority will meet with the affected property owners and provide additional information regarding service availability, connection locations, and other information that may be deemed necessary. The property owner has one year from the date of notification to connect to the system. Failure to connect may result in termination of service.

F. WATER RIGHT LEASES

- (1) Beginning July 1, 2006, except for lease agreements that provide for periodic rate increases, water rights leases entered by the Water Authority for the purpose of offsetting depletive effects on the Rio Grande from pumping by others shall be charged at the non-potable water rate.
- (2) Each legally platted property shall have an individual, independent non-potable water service. No property shall share a non-potable water service with any other.

1-1-5. SEWER RATES

A. METHODOLOGY AND CALCULATION OF RATES AND CHARGES

- (1) The rates and charges described in this Ordinance are developed in conformance with standard cost-of-service rate making principles as recommended by the American Water Works Association, the Water Environment Federation, and the United States Environmental Protection Agency (USEPA).
- (2) The Water Authority's rates and charges are calculated based on each customer classification's use of the system. Historical billed flows by classification and a systematic allocation of operation, maintenance, and capital costs were used to calculate the schedule of charges contained in this Ordinance.

B. FIXED MONTHLY CHARGE

The rates and compensation to be paid to the Water Authority for public or private use by discharge of liquid waste into the Water Authority within the Service Area for any and all purposes whatsoever shall be in accordance with the following schedules of charges. The Fixed Monthly Charge for Customers with Water Authority water service shall be based on the water service size. Total fixed monthly charges include both monthly base charge and rehabilitation charge which are itemized on customer utility statements. The Fixed Monthly Charge for Customers without Water Authority water service shall be based on the liquid waste flow. Liquid waste flow will be calculated in accordance with the methodology set forth in the Commodity Charge Section of §1-1-5(C).

(1) Fixed Monthly Charge for Customers with Water Service

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-Family	Wholesale
1	5/8 X 3/4"	\$3.64	\$4.51	\$20.49	\$3.49	\$6.06	\$4.61
2	1"	\$5.89	\$7.19	\$34.70	\$5.64	\$10.01	\$7.54
3	1 1/2"	\$24.16	\$30.59	\$149.48	\$22.99	\$42.17	\$16.69
4	2"	\$60.13	\$76.27	\$375.57	\$57.18	\$105.13	\$78.06
5	3"	\$80.53	\$102.20	\$503.80	\$76.56	\$140.89	\$104.60
6	4"	\$171.53	\$217.84	\$1,076.03	\$163.06	\$300.57	\$222.96
7	6"	\$228.45	\$288.69	\$1,433.82	\$217.18	\$400.40	\$296.98
8	8" & over	\$406.09	\$515.89	\$2,550.77	\$386.05	\$712.04	\$502.93

(2) Fixed Monthly Charges for Customers without Water Service

Liquid Waste Flow (CCF)	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-Family	Wholesale
0 - 10	5/8 X 3/4"	\$3.64	\$4.51	\$20.49	\$3.49	\$6.06	\$4.61
11-19	1"	\$5.89	\$7.19	\$34.70	\$5.64	\$10.01	\$7.54
20-63	1 1/2"	\$24.16	\$30.59	\$149.48	\$22.99	\$42.17	\$16.69
64-82	2"	\$60.13	\$76.27	\$375.57	\$57.18	\$105.13	\$78.06
83-343	3"	\$80.53	\$102.20	\$503.80	\$76.56	\$140.89	\$104.60
344-599	4"	\$171.53	\$217.84	\$1,076.03	\$163.06	\$300.57	\$222.96
600-803	6"	\$228.45	\$288.69	\$1,433.82	\$217.18	\$400.40	\$296.98
800-over	8" & over	\$406.09	\$515.89	\$2,550.77	\$386.05	\$712.04	\$502.93

(3) Fixed Monthly Facility Rehabilitation Charges

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-Family	Wholesale
1	5/8 X 3/4"	\$9.19	\$11.37	\$51.64	\$8.79	\$15.25	\$11.61
2	1"	\$14.87	\$18.11	\$87.49	\$14.21	\$25.25	\$19.01
3	1 1/2"	\$60.92	\$77.08	\$376.84	\$57.97	\$106.30	\$42.06
4	2"	\$151.58	\$192.29	\$946.84	\$144.14	\$265.01	\$196.79
5	3"	\$202.99	\$257.62	\$1,270.10	\$193.01	\$355.22	\$263.70
6	4"	\$432.44	\$549.18	\$2,712.69	\$411.10	\$757.74	\$562.11
7	6"	\$575.91	\$727.80	\$3,614.70	\$547.50	\$1,795.09	\$748.72
8	8" & over	\$1,023.78	\$1,300.56	\$6,430.55	\$973.22	\$1,795.09	\$1,267.89

(4) Total Fixed Monthly Sewer Charges

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-Family	Wholesale
1	5/8 X 3/4"	\$12.83	\$15.88	\$72.13	\$12.28	\$21.31	\$11.61
2	1"	\$20.76	\$25.30	\$122.19	\$19.85	\$35.26	\$19.01
3	1 1/2"	\$85.08	\$107.67	\$526.32	\$80.96	\$148.47	\$42.06
4	2"	\$211.71	\$268.56	\$1,322.41	\$201.32	\$370.14	\$196.79
5	3"	\$283.52	\$359.82	\$1,773.90	\$269.57	\$496.11	\$263.70
6	4"	\$603.97	\$767.02	\$3,788.72	\$574.16	\$1,058.31	\$562.11
7	6"	\$804.36	\$1,016.49	\$5,048.52	\$764.68	\$1,409.81	\$748.72
8	8" & over	\$1,429.87	\$1,816.45	\$8,981.32	\$1,359.27	\$2,507.13	\$1,267.89

(5) Charges for KAFB:

Charge Types	Monthly Charge
Fixed Monthly	\$14,663.19
Monthly Rehabilitation	\$36,966.21
Total Fixed Monthly	\$51,629.40

C. COMMODITY CHARGE

All wastewater discharge shall be charged on the basis of the Commodity Charges for Retail and Special Customers rate table on a per unit basis (one unit equals 100 cubic feet).

(1) Commodity Charges for Retail and Special Contract Customers

Customer Classification	Base (\$/CCF)	Rehab (\$/CCF)	Total Commodity (\$/CCF)
Retail Customers:			
Residential	\$1.698	\$0.350	\$2.049
Commercial	\$1.698	\$0.350	\$2.049
Industrial	\$1.698	\$0.350	\$2.049
Institutional	\$1.698	\$0.350	\$2.049
Multi-family	\$1.698	\$0.350	\$2.049
Special Contracts:			
Wholesale	\$0.885	\$0.184	\$1.070
KAFB	\$0.885	\$0.184	\$1.070

(2) Customers with Water Service. The average winter-months usage (during December, January, February, and March) shall be determined by averaging the metered or estimated water usage recorded during the winter months. The commodity charge shall be based on 95 percent (95%) of the metered or estimated usage for that month, or 95 percent (95%) of the customer's average winter-month usage, whichever amount is lower.

(3) Customers without Water Service. The volume of wastewater discharge shall be determined by the physical measurement at the expense of the customer; however, where accurate and reasonable estimates can be made by statistical methods, such estimates shall be considered the volume of discharge upon which the Commodity Charge is based. The Water Authority expressly reserves the right to determine the estimated wastewater volume for any customer without water service, which determination may be appealed to the Executive Director.

(4) Special Wastewater Discharge Volume. The Water Authority recognizes that sewage discharge patterns for individual Customers may vary to a great extent from the norms of any particular class; therefore, any Customer may, at their own expense, provide

the Water Authority with sewage flow data for consideration of a special wastewater discharge volume. Such data shall be certified by an engineer registered in the state. The Water Authority expressly reserves the right to determine the estimated wastewater volume for any Customer, which determination may be appealed to the Executive Director.

D. SEWER CREDIT ELIGIBILITY & PROCEDURES

- (1) Single-family detached, condominiums, townhouses, duplexes, triplexes, or fourplexes served by common or individual meters; mobile homes served by individual meters; but limited to those Customers who own the dwelling in which they reside and qualify under the United States Department of Health and Human Services poverty guidelines.
- (2) The Executive Director shall establish procedures regarding certification for water credits and shall periodically make administrative changes to the income guidelines as circumstances require.

E. SEWER CREDIT

The Sewer Credit shall be calculated using the Fixed Monthly Charge as set forth in this Ordinance. For those accounts included within the Sewer Credit classification, a credit equal to the sum of the sewer fixed monthly charge and the sewer fixed monthly facility rehabilitation charge will be applied to their billing.

F. EXTRA-STRENGTH SURCHARGE

- (1) All customers discharging wastewater into the POTW are subject to a surcharge if the discharged wastewater exceeds normal domestic wastewater strength.

NORMAL STRENGTH is defined as:

Pollutants	Normal Strength Levels
Chemical Oxygen Demand (COD)	≤ 500 mg/l
Biochemical Oxygen Demand (BOD)	≤ 250 mg/l
Total Suspended Solids (TSS)	≤ 330 mg/l
Ammonia Nitrogen (NH3N)	≤ 25 mg/l

- (2) The Water Authority shall determine strength as defined by the above parameters in §1-1-5(F)(1) above. The procedures are described in §1-1-5(J) below. If it is

determined that the wastewater strength exceeds the limits specified, a surcharge shall be levied at the rate of:

Pollutants	Surcharge Rate per Pound of Excess
Chemical Oxygen Demand (COD)	\$0.209
Biochemical Oxygen Demand (BOD)	\$0.406
Total Suspended Solids (TSS)	\$0.325
Ammonia Nitrogen (NH ₃ N)	\$0.986

(3) Any customer that is a Food Service Establishment permitted by the City of Albuquerque, Village of Los Ranchos, Bernalillo County, or the City of Rio Rancho shall be charged an extra strength surcharge per unit (100 cubic feet).

Establishment Type	Surcharge Rate per Unit of Excess (\$/CCF)
Food Service	\$2.39

(4) The Water Authority shall promulgate administrative procedures to carry out the provisions of the extra-strength surcharge.

G. SEPTIC TANK TRUNK DISCHARGE

No user owning vacuum or “cesspool” type pumping trucks or other liquid waste transport trucks shall discharge such waste into the POTW, unless such person shall first have applied for and received a Septic Tank Discharge or Chemical Toilet Discharge Permit from the Industrial Pretreatment Engineer pursuant to the Sewer Use and Wastewater Control Ordinance Section 3-3-7.

H. SEWER USE REGULATIONS

The Water Authority’s Sewer Use and Wastewater Control or successor Ordinance shall govern all discharges of wastewater to the POTW.

I. SAMPLING – METERING MANHOLE REQUIREMENTS

When required by the Utility, the owner of property serviced by a lateral sewer carrying industrial wastes shall install a suitable control manhole or cleanout together with such necessary meter and other appurtenances in the lateral sewer to facilitate observation, sampling, and measurement of the wastes. Such monitoring locations shall be accessible, safely located, and constructed in such a manner as to prevent infiltration of ground and surface waters. They shall be constructed in accordance with plans approved by the Utility. The Utility has established standard details. The monitoring location and all

equipment shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times.

Requirements	Details
Installation Requirements	Owners of properties with industrial wastes must install a control manhole or cleanout with necessary meter and appurtenances as required by the Utility
Construction Standards	Monitoring locations must be accessible, prevent infiltration, and constructed per Utility- approved plans at owner's expense

J. SAMPLING AND TESTING PROCEDURES

All dischargers subject to monitoring according to the Water Authority's Sewer Use and Wastewater Control Ordinance, will be monitored by the Water Authority. The discharge will be sampled and tested for compliance with the Water Authority's Sewer Use and Wastewater Control Ordinance, and to determine the surcharge amount.

- (1) All measurements, tests, and analysis of the characteristics of waters and wastes shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association and Water Pollution Control Federation, and the American Water Works Association.
- (2) Sampling shall be carried out by a customarily accepted method. The analyses involved will determine whether a 24-hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD, COD, NH₃N AND TSS analyses are obtained from 24-hour composites of all outfalls.
- (3) Those industries suspected of discharging either high COD, BOD, NH₃N wastes or high TSS wastes shall be sampled for four consecutive days by grab samples or 24-hour composite samples from Utility manhole.

Industry Discharge	Requirements
> 25,000 gallons per day	Sampling manhole may be required if required by the Water Authority's Sewer Use and Wastewater Control Ordinance or successor Ordinance
< 25,000 gallons per day	May be required to install a cleanout and an automatic sampler will be used to gather a composite which shall be used to compute a monthly surcharge

If COD results exceed 500 mg/l, BOD results exceed 250 mg/l, NH3N results exceed 25 mg/l, or TSS results exceed 330 mg/l on any of the two of the four consecutive days, or in any of the 24-hour composite samples, a sampling manhole may be required for industries discharging greater than 25,000 gallons per day or if required by the Water Authority’s Sewer Use and Wastewater Control Ordinance or successor Ordinance. Upon installation of the sampling manhole, an automatic sampler will be used to gather a composite which shall be used to compute a monthly surcharge. Industries discharging less than 25,000 gallons per day and not otherwise requiring a sampling manhole may be required to install a cleanout and an automatic sampler will be used to gather a composite which shall be used to compute a monthly surcharge. Pretreatment may be required according to the Water Authority’s Sewer Use and Wastewater Control Ordinance or successor Ordinance.

- (4) The Water Authority may assess penalties for noncompliance with the Sewer Use and Wastewater Control Ordinance or successor Ordinance.

1-1-6. UTILITY EXPANSION CHARGE AND WATER RESOURCE CHARGE

A. UTILITY EXPANSION CHARGE

Utility Expansion Charges (UEC) shall be based on adopted policies of the Water Authority.

- (1) A UEC will be paid to the Water Authority at the time of meter sale or application for service for all properties connecting to the water and/or wastewater system in accordance with the following schedule. The amount of the UEC’s shall be adjusted annually by building cost or construction cost indices (BCI or CCI) as published by the Engineering News Record (ENR), or as directed by the Water Authority Board. Where water service does not exist and sewer service is to be taken and the sewer UEC is applicable, the charge shall be based upon the wastewater flow. A unit of flow is equal to 100 cubic feet.

- (a) Financing for Water UEC

Effective 7/01/2024, Year 1 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$3,899	\$195	\$3,704
1"	\$6,498	\$325	\$6,173
1½"	\$12,995	\$650	\$12,345
2"	\$20,798	\$1,040	\$19,758
3"	\$41,587	\$2,079	\$39,508
4"	\$64,980	\$3,249	\$61,731
6"	\$129,966	\$6,498	\$123,468
8" or Over	\$207,942	\$10,397	\$197,545

Effective 7/01/2025, Year 2 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	\$4,638	\$232	\$4,406
1	\$7,730	\$387	\$7,343
1 1/2"	\$15,459	\$773	\$14,686
2"	\$24,734	\$1,237	\$23,497
3"	\$54,107	\$2,705	\$51,402
4"	\$92,754	\$4,638	\$88,116
6"	\$208,697	\$10,435	\$198,262
8" or Over	\$247,345	\$12,367	\$234,978

Effective 7/01/2026, Year 3 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	\$5,377	\$269	\$5,108
1	\$8,961	\$448	\$8,513
1 1/2"	\$17,923	\$896	\$17,027
2"	\$28,676	\$1,434	\$27,242
3"	\$62,729	\$3,136	\$59,593
4"	\$107,535	\$5,377	\$102,158
6"	\$241,955	\$12,098	\$229,857
8" or Over	\$286,761	\$14,338	\$272,423

Effective 7/01/2027, Year 4 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	\$6,116	\$306	\$5,810
1	\$10,193	\$510	\$9,683
1 1/2"	\$20,386	\$1,019	\$19,367
2"	\$32,618	\$1,631	\$30,987
3"	\$71,351	\$3,568	\$67,783
4"	\$122,317	\$6,116	\$116,201
6"	\$275,213	\$13,761	\$261,452
8" or Over	\$326,178	\$16,309	\$308,869

Effective 7/01/2028, Year 5 Phase-In

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	\$6,855	\$343	\$6,512
1	\$11,425	\$571	\$10,854
1 1/2"	\$22,850	\$1,143	\$21,707
2"	\$36,559	\$1,828	\$34,731
3"	\$79,974	\$3,999	\$75,975
4"	\$137,098	\$6,855	\$130,243
6"	\$308,470	\$15,424	\$293,046
8" or Over	\$365,595	\$18,280	\$347,315

Effective 7/01/2029, Year 6 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$7,594	\$380	\$7,214
1	\$12,657	\$633	\$12,024
1½"	\$25,313	\$1,266	\$24,047
2"	\$40,501	\$2,025	\$38,476
3"	\$88,596	\$4,430	\$84,166
4"	\$151,879	\$7,594	\$144,285
6"	\$341,728	\$17,086	\$324,642
8" or Over	\$405,011	\$20,251	\$384,760

Effective 7/01/2030, Year 7 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$8,333	\$417	\$7,916
1	\$13,888	\$694	\$13,194
1½"	\$27,777	\$1,389	\$26,388
2"	\$44,443	\$2,222	\$42,221
3"	\$97,219	\$4,861	\$92,358
4"	\$166,660	\$8,333	\$158,327
6"	\$374,986	\$18,749	\$356,237
8" or Over	\$444,428	\$22,221	\$422,207

Effective 7/01/2031, Year 8 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$9,072	\$454	\$8,618
1	\$15,120	\$756	\$14,364
1½"	\$30,240	\$1,512	\$28,728
2"	\$48,384	\$2,419	\$45,965
3"	\$105,841	\$5,292	\$100,549
4"	\$181,442	\$9,072	\$172,370
6"	\$408,244	\$20,412	\$387,832
8" or Over	\$483,844	\$24,192	\$459,652

Effective 7/01/2032, Year 9 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$9,811	\$491	\$9,320
1	\$16,352	\$818	\$15,534
1½"	\$32,704	\$1,635	\$31,069
2"	\$52,326	\$2,616	\$49,710
3"	\$114,463	\$5,723	\$108,740
4"	\$196,223	\$9,811	\$186,412
6"	\$441,502	\$22,075	\$419,427
8" or Over	\$523,261	\$26,163	\$497,098

Effective 7/01/2033, Year 10 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	\$10,550	\$528	\$10,022
1	\$17,584	\$879	\$16,705
1 1/2"	\$35,167	\$1,758	\$33,409
2"	\$56,268	\$2,813	\$53,455
3"	\$123,086	\$6,154	\$116,932
4"	\$211,004	\$10,550	\$200,454
6"	\$474,759	\$23,738	\$451,021
8" or Over	\$562,678	\$28,134	\$534,544

(b) Financing for Sewer UEC

Effective 7/01/2024, Year 1 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$2,924	\$146	\$2,778
1	11-19	\$4,874	\$244	\$4,630
1 1/2"	20-63	\$9,748	\$487	\$9,261
2"	64-82	\$15,595	\$780	\$14,815
3"	83-343	\$31,264	\$1,563	\$29,701
4"	344-599	\$49,968	\$2,498	\$47,470
6"	600-803	\$99,943	\$4,997	\$94,946
8" or Over	804 & over	\$155,949	\$7,797	\$148,152

Effective 7/01/2025, Year 2 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$3,247	\$162	\$3,085
1	11-19	\$5,411	\$271	\$5,140
1 1/2"	20-63	\$10,822	\$541	\$10,281
2"	64-82	\$17,315	\$866	\$16,449
3"	83-343	\$37,877	\$1,894	\$35,983
4"	344-599	\$64,932	\$3,247	\$61,685
6"	600-803	\$146,098	\$7,305	\$138,793
8" or Over	804 & over	\$173,153	\$8,658	\$164,495

Effective 7/01/2026, Year 3 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$3,569	\$178	\$3,391
1	11-19	\$5,948	\$297	\$5,651
1 1/2"	20-63	\$11,897	\$595	\$11,302
2"	64-82	\$19,035	\$952	\$18,083
3"	83-343	\$41,638	\$2,082	\$39,556
4"	344-599	\$71,380	\$3,569	\$67,811
6"	600-803	\$160,604	\$8,030	\$152,574
8" or Over	804 & over	\$190,346	\$9,517	\$180,829

Effective 7/01/2027, Year 4 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$3,891	\$195	\$3,696
1	11-19	\$6,486	\$324	\$6,162
1 1/2"	20-63	\$12,971	\$649	\$12,322
2"	64-82	\$20,754	\$1,038	\$19,716
3"	83-343	\$45,399	\$2,270	\$43,129
4"	344-599	\$77,827	\$3,891	\$79,936
6"	600-803	\$175,111	\$8,756	\$166,355
8" or Over	804 & over	\$207,538	\$10,377	\$197,161

Effective 7/01/2028, Year 5 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$4,214	\$211	\$4,003
1	11-19	\$7,023	\$351	\$6,672
1 1/2"	20-63	\$14,046	\$702	\$13,344
2"	64-82	\$22,473	\$1,124	\$21,349
3"	83-343	\$49,160	\$2,458	\$46,702
4"	344-599	\$84,274	\$4,214	\$80,060
6"	600-803	\$189,617	\$9,481	\$180,136
8" or Over	804 & over	\$224,731	\$11,237	\$213,494

Effective 7/01/2029, Year 6 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$4,536	\$227	\$4,309
1	11-19	\$7,560	\$378	\$7,182
1 1/2"	20-63	\$15,120	\$756	\$14,364
2"	64-82	\$24,192	\$1,210	\$22,982
3"	83-343	\$52,921	\$2,646	\$50,275
4"	344-599	\$90,722	\$4,536	\$86,186
6"	600-803	\$204,123	\$10,206	\$193,917
8" or Over	804 & over	\$241,924	\$12,096	\$229,828

Effective 7/01/2030, Year 7 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$4,858	\$243	\$4,615
1	11-19	\$8,097	\$405	\$7,692
1 1/2"	20-63	\$16,195	\$810	\$15,385
2"	64-82	\$25,912	\$1,296	\$24,616
3"	83-343	\$56,682	\$2,834	\$53,848
4"	344-599	\$97,169	\$4,858	\$92,311
6"	600-803	\$218,630	\$10,932	\$207,698
8" or Over	804 & over	\$259,117	\$12,956	\$246,161

Effective 7/01/2031, Year 8 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$5,181	\$259	\$4,922
1	11-19	\$8,635	\$432	\$8,203
1 1/2"	20-63	\$17,269	\$863	\$16,406
2"	64-82	\$27,631	\$1,382	\$26,249
3"	83-343	\$60,443	\$3,022	\$57,421
4"	344-599	\$103,616	\$5,181	\$98,435
6"	600-803	\$233,136	\$11,657	\$221,479
8" or Over	804 & over	\$276,310	\$13,816	\$262,494

Effective 7/01/2032, Year 9 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$5,503	\$275	\$5,228
1	11-19	\$9,172	\$459	\$8,713
1 1/2"	20-63	\$18,344	\$917	\$17,427
2"	64-82	\$29,350	\$1,468	\$27,882
3"	83-343	\$64,204	\$3,210	\$60,994
4"	344-599	\$110,063	\$5,503	\$104,560
6"	600-803	\$247,643	\$12,382	\$235,261
8" or Over	804 & over	\$293,502	\$14,675	\$278,827

Effective 7/01/2033, Year 10 Phase-In:

Meter Size	Liquid Waste Flow	Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	0-10	\$5,826	\$291	\$5,535
1	11-19	\$9,709	\$485	\$9,224
1 1/2"	20-63	\$19,418	\$971	\$18,447
2"	64-82	\$31,070	\$1,554	\$29,516
3"	83-343	\$67,965	\$3,398	\$64,567
4"	344-599	\$116,511	\$5,826	\$110,685
6"	600-803	\$262,149	\$13,107	\$249,042
8" or Over	804 & over	\$310,695	\$15,535	\$295,160

- (5) The UEC may be paid in full or paid over time with an initial minimum of 5 percent (5%) down payment, and the balance shall be subject to a fixed monthly charge to include a carrying charge set at 7 percent (7%) per annum. On all connections, the balance shall be paid in full within 120 months.
- (6) The fixed monthly charge for the UEC shall run against the property and be the responsibility of any subsequent owner until paid in full. All monies collected through the imposition of the UEC, including the fixed monthly charge, shall be placed in a separate account to be used for financing the expansion of the water and sewer system.

(7) The Executive Director is authorized to continue the Water Authority's partnerships with other governmental entities to support non-profit community development projects. Qualified projects may be approved to defer payment of all or a portion of applicable Utility Expansion Charges until the property is sold. The Water Authority will secure its position with a second mortgage on the subject property.

B. NON-POTABLE WATER UTILITY EXPANSION CHARGE

(1) A Utility Expansion Charge (UEC) shall be paid to the Water Authority at the time of non-potable meter sale or application for non-potable water service for all new services connecting to the non-potable water system. The UEC may be paid in full at the time of non-potable service application or paid over time with an initial minimum of 5 percent (5%) down payment. The balance shall be subject to a fixed monthly charge to include a carrying charge set at 7 percent (7%) per annum. On all connections, the balance shall be paid in full within 120 months.

(2) The UEC for non-potable water service shall be the same as the UEC for potable water service.

(3) Existing water Customers wishing to receive non-potable water shall not be charged with a UEC unless the new combined potable and non-potable system capacity exceeds the Customer's previous existing potable system capacity.

C. REACTIVATION OF DISCONNECTED SERVICE

No refund of UEC will be made for service downsizing. Reconnections requesting larger service than was originally installed shall pay UEC determined by subtracting the current charge for the original service size from the current charge for the new service size requested.

D. CHARGES FOR MULTIPLE RESIDENTIAL UNITS

(1) Requests for residential or commercial water and/or sewer service which will provide for more than one residential unit will pay UEC according to one of the following schedules.

Type	UEC Payment Calculation
Apartment Complexes with 30 units or less	50% of (Total Units x UEC for 5/8" x 3/4" water meter)

Type	UEC Payment Calculation
Apartment Complexes with more than 30 units	Equivalent Units = $(0.45) \times (\text{No. of Units}) + 1.49$ Total UEC = (Equivalent Units) x (5/8" x 3/4" Meter UEC)
Mobile Home Parks	53% of (Total Units x UEC for 5/8" x 3/4" water meter)
Condominiums and Townhomes	53% of (Total Units x UEC for 5/8" x 3/4" water meter)
Commercial Service	Greater of: 1) UEC as per §1-1-6(A) or 2) 50% of Units x UEC for 5/8" x 3/4" water meter
Low Income Housing Developments	Greater of: 1) 8% of (Total Units x UEC for 5/8" x 3/4" water meter) as per §1-1-6(A) or 2) UEC for required meter size
Low Income Housing Developments- Promissory Note	UEC for 5/8" x 3/4" water meter per §1-1-6(A)(1) – amount of the water and sewer UEC set forth in §1-1-6(D)(2)

(a) Apartment Complexes:

- i. With 30 dwelling units or less shall pay 50 percent of the product of the total number of units times the water and/or sanitary sewer UEC for a 5/8" x 3/4" water meter.
- ii. With more than 30 dwelling units shall pay the amount given by the equation below.

$$\text{Equivalent Units} = (0.45) \times (\text{No. of Units}) + 1.49$$

$$\text{Total UEC} = (\text{Equivalent Units}) \times (5/8" \times 3/4" \text{ Meter UEC})$$

(b) Mobile Home Parks, regardless of size, shall pay 53 percent of the product of the total number of dwelling units times the water and/or sanitary sewer UEC for a 5/8" x 3/4" water meter.

(c) Condominiums and townhomes, regardless of size, shall pay 53 percent of the product of the total number of dwelling units times the water and/or sanitary sewer UEC for a 5/8" x 3/4" water meter.

(d) Commercial service shall pay the larger of the following:

- i. The water and/or sewer UEC as shown in §1-1-6(A).
- ii. 50 percent of the product of the number of equivalent residential units times the water and/or sewer UEC charge for a 5/8" x 3/4" meter.

- (2) Low-income housing developments shall pay the greater of either:
- (a) Eight percent of the product of the total number of dwelling units times the water and sanitary sewer UEC set forth in §1-1-6(A) of this Ordinance for a 5/8" x 3/4" water meter; or,
 - (b) The UEC set forth in §1-1-6(A) of this Ordinance for the meter size required to service the development. The size shall be determined by the Water Authority based on the number of water fixture units described in AWWA M-22.
- (3) At the time the water and sewer UEC is due and payable for a low income housing development, the owner of the low income housing development shall give the Water Authority a promissory note in the principal amount that is equal to the difference between the amount of the water and sewer UEC set forth in §1-1-6(A)(1) of this Ordinance for a 5/8" x 3/4" water meter and the amount of the water and sewer UEC set forth in §1-1-6(D)(2). The promissory note shall be due and payable on the date the Low Income Housing Development ceases to qualify as a low income housing development as defined in §1-1-1(B), which shall constitute its maturity date. The promissory note shall not bear any interest from the date of the promissory note to its maturity date but shall bear interest thereafter at the rate imposed by §1-1-6(A)(2) from the maturity date of the promissory note until the date the promissory note is paid. The promissory note shall be secured by a mortgage on the low income housing development that is subject and subordinate only to mortgages securing the costs to purchase the land for the low income housing development and to design and construct the low income housing development.
- (4) If the service requested necessitates modification and/or installation of additional facilities other than those already in existence and available to serve the property, then the cost of such modifications and/or additional facilities shall be applied and apportioned according to existing Water Authority policy.

E. WATER RESOURCE CHARGE

- (1) A Water Resource Charge (WRC), as specified herein, will be assessed by the Water Authority at the time of meter sale or application for service to any new water user customer requesting connection to the water system in an area requiring new or enhanced infrastructure through a service expansion in accordance with §1-1-6(E)(1). The proceeds from this charge will be dedicated to the Water 2120 Fund.

Financing for Water Resource Charge – WRC

Effective 7/01/2024, Year 5 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$3,747	\$187	\$3,560
1	\$6,246	\$312	\$5,934
1½"	\$12,491	\$625	\$11,866
2"	\$19,986	\$999	\$18,987
3"	\$43,720	\$2,186	\$41,534
4"	\$74,949	\$3,747	\$71,202
6"	\$168,635	\$8,432	\$160,203
8" or Over	\$199,864	\$9,993	\$189,871

Effective 7/01/2025, Year 6 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$4,163	\$208	\$3,955
1	\$6,939	\$347	\$6,592
1½"	\$13,877	\$694	\$13,183
2"	\$22,203	\$1,110	\$21,093
3"	\$48,570	\$2,429	\$46,141
4"	\$83,263	\$4,163	\$79,100
6"	\$187,341	\$9,367	\$177,974
8" or Over	\$222,034	\$11,102	\$210,932

Effective 7/01/2026, Year 7 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$4,579	\$229	\$4,350
1	\$7,631	\$382	\$7,250
1½"	\$15,263	\$763	\$14,500
2"	\$24,420	\$1,221	\$23,199
3"	\$53,420	\$2,671	\$50,749
4"	\$91,577	\$4,579	\$86,998
6"	\$206,047	\$10,302	\$195,745
8" or Over	\$244,204	\$12,210	\$231,994

Effective 7/01/2027, Year 8 Phase-In:

Meter Size	Water Payment	Minimum Cash Down	Balance to Finance
$\frac{5}{8} \times \frac{3}{4}$ "	\$4,995	\$250	\$4,745
1	\$8,324	\$416	\$7,908
1½"	\$16,648	\$832	\$15,816
2"	\$26,637	\$1,332	\$25,305
3"	\$58,269	\$2,913	\$55,356
4"	\$99,890	\$4,995	\$94,895
6"	\$224,753	\$11,238	\$213,515
8" or Over	\$266,374	\$13,319	\$253,055

- (2) The WRC may be paid in full or paid over time with an initial minimum of 5 percent (5%) down payment, and the balance shall be subject to a fixed monthly charge to include a carrying charge set at seven percent (7%) per annum. On all new hook-up connections, the balance shall be paid in full within 120 months.
- (3) The fixed monthly fee for the WRC shall run against the property and be the responsibility of any subsequent owner until paid in full. All monies collected through the imposition of the WRC shall be placed in a separate account to be used for financing the development of additional long term water supplies to serve expansions of the Water Authority's service area subsequent to June 15, 2007.
- (4) The WRC is not reimbursable under the line extension policy except for master planned water, wastewater, and reuse supply projects as contained in development agreements. All revenues generated from the WRC will be maintained in its own activity and to be used only as specified in §1-1-6(E)(1).
- (5) Master planned developments outside the service area shall meet additional water, wastewater, and reuse service provision requirements in accordance with Water Authority policies and plans. New service within Rio Rancho city limits and/or outside of Bernalillo County shall require provision of water rights to serve.
- (6) The WRC for multiple residential units will be calculated in a manner consistent with the UEC charges as set forth in 1-1-6(D).
- (7) The WRC may not be deferred.

1-1-7. SPECIFIC SERVICES

A. METERED SERVICE LINES

Fees for specific services shall be as follows:

Metered Service Lines

Meter Size	Fee
5/8 X 3/4" meter set only	\$310
1" meter set only	\$373
1 1/2" meter set only	\$583
2" meter set only	\$667

Meter Size	Fee
3" metered service line installation: 3" meter set only with compound meter without vault	\$2,294
4" metered service line installation: 1) 4" meter set only with compound meter without vault 2) 4" meter set only with fire assembly meter without vault	\$3,281 \$7,571
6" metered service line installation: 1) 6" meter set only with compound meter without vault 2) 6" meter set only with fire assembly meter without vault	\$5,397 \$7,896
8" metered service line installation: 8" meter set only with compound meter without vault	\$13,692
10" and larger	Contact the Utility for price quote

B. METER SIZE REDUCTION INSTALLATION

Meter Size Reduction Installation

Meter Size	Fee
5/8 X 3/4" through 1-1/2"	Contact the Utility for price quote
2"	Contact the Utility for price quote
3" and larger	Contact the Utility for price quote

C. TURN OFF FEE

Turn Off Fee

Meter Size	Fee
5/8 X 3/4" and 1"	\$45
1-1/2" through 10"	\$60

D. COMBINED FIRE-DOMESTIC METERS

- (1) Requests concerning existing fire service meters that serve both fire protection and domestic needs shall be submitted to the New Construction section of Customer Service. Upon satisfactory verification of peak water flow requirements, by a certified professional engineer licensed in the State of New Mexico and in accordance with

applicable City and County fire codes and the AWWA M22 guidelines, the Water Authority will determine the appropriate equivalent meter size.

- (2) Alternatively, the customer may choose to install separate domestic water service(s) and unmetered fire line(s) at their own expense, provided the existing combined service is removed. Fixed monthly charges for private fire protection will apply based on the level of fire protection capacity delivered.
- (3) Fees for installation (set only) are in §1-1-7(A).

E. PRIVATE USE OF FIRE HYDRANTS FOR NON-POTABLE USE

(1) Permits.

- (a) Connections to fire hydrants at any location are prohibited except by the Water Authority, Fire Departments within the service area or by written permit (fire hydrant meter permit) issued by the Water Authority. The Fire Departments within the service area are given permission to use fire hydrants based upon written agreements with the Executive Director which pertain to inspection and maintenance. Each Fire Department is required to perform agreed upon maintenance on all fire hydrants within their service area as a condition of use.
- (b) A qualified applicant (business owner or licensed contractor) or designated agent wishing to obtain a fire hydrant meter permit must submit a completed application form to the Water Authority. Completed and signed applications may be submitted online. If the applicant assigns a designated agent to obtain the permit, a designated agent certification form must be signed by the business owner or licensed contractor and submitted with the completed application.
- (c) Fire hydrant meter permits may be issued for a period not to exceed one year. Failure to comply with one or more of the terms and conditions shall be cause for terminating the permit.
- (d) Under a standard fire hydrant meter permit, the applicant may use any fire hydrant from the Water Authority's designated network of green-top fire hydrants. Applicants desiring to use an out-of-network hydrant must submit an alternate location application stating the reason(s) for needing to use the out-of-network hydrant. Water Authority staff will review such requests on a case-by-case basis, and a decision shall be issued within three business days of receiving the request.
- (e) The Water Authority reserves the right to refuse to issue a fire hydrant meter permit to any applicant or to require an applicant to pay all current charges on the applicant's Water Authority account as a condition to the issuance of a permit.

(2) System Connection and Water Use.

- (a) Water taken from fire hydrants may be used only for non-potable, non-recreational purposes within the Water Authority service area. The use of non-potable water taken from fire hydrants for swimming pools is prohibited.
- (b) The permit holder shall utilize a backflow prevention method or device acceptable to the Water Authority at all times when the fire hydrant meter is in use to protect the Water Authority's water supply. Failure to use an acceptable backflow prevention method or device shall be cause for confiscating the fire hydrant meter and terminating the permit.
- (c) The Executive Director may appoint employees to inspect fire hydrant meters at any time, but not less than once per annum. Permit holders shall make provisions for such inspections.
- (d) For permit holders that contract with the Water Authority, the Executive Director is authorized to withhold all or a portion of the surety bond for outstanding fire hydrant meter charges including but not limited to repair and replacement of the hydrant meter and usage.

(3) Loss, Damage and Payment Surety Bond.

Category	Details
Deposit Requirement	Loss, damage, and payment surety deposit of \$3,000 for each fire hydrant
Forfeiture Condition	If fire hydrant meter is lost or stolen, the deposit shall be forfeited and a charge of \$1,000 shall be assessed for water usage
Refund Policy	All or a portion of the loss, damage, and payment surety deposit will be refunded depending on the repair costs and outstanding balance for water charges when returned to Water Authority
Waiver Condition	The Executive Director may waive the deposit for special events or non-construction related short term projects

- (a) A loss, damage, and payment surety deposit of \$3,000.00 for each fire hydrant meter is required at the time the permit is issued. If a fire hydrant meter is lost or stolen, the \$3,000.00 deposit shall be forfeited, and the permit holder shall be assessed up to a \$1,000.00 charge for water usage.
- (b) All or a portion of the loss, damage and payment surety deposit will be refunded depending upon the cost of repairing the fire hydrant meter and the outstanding

balance for meter charges when it is returned to the Water Authority. The Water Authority shall cause the repair work to be done and compute the time and materials necessary to rehabilitate the fire hydrant meter.

(c) The Executive Director may waive the loss, damage and payment surety deposit for special events or non-construction related short term projects.

(4) Reporting. The permit holder shall be required to report and pay for fire hydrant water usage on a monthly basis. Fire hydrant meter readings shall be submitted online between the first (1st) and tenth (10th) day of the month for water usage during the previous calendar month, regardless of whether any water usage occurred during that month. Failure to submit meter readings between the first (1st) and the tenth (10th) of the month shall result in a \$20.00 late meter reading fee per occurrence. Failure to report meter readings on or before the last day of the month the readings are due shall be cause for confiscation of the meter and termination of the permit.

(5) Fees and Charges

Fee Description	Charge Details
Nonrefundable Program Fee	\$230 charged for each fire hydrant meter permit
Monthly Base Charge	\$80.12 charged to all fire hydrant meter permit holders, charge shall not be prorated
Water Withdrawn from Fire Hydrant	All water withdrawn from a fire hydrant will be charged at the current commodity rate.
Late Payment Fee	\$50 fee per occurrence for failure to remit payment in full within 10 days after final notice

(a) Connections to fire hydrants in violation of this Ordinance will be subject to the penalties specified herein and shall be considered an unauthorized connection and be subject to hydrant meter confiscation.

(b) The permit holder shall be required to remit payment for all water withdrawn from fire hydrants on a monthly basis. Failure to remit payment in full within ten (10) days after final notice is issued shall result in a \$50.00 late payment fee per occurrence and shall be cause for confiscation of the fire hydrant meter and termination of the permit.

F. CROSS CONNECTION FEES

Fee Description	Fee	Charge Details
Containment Inspection	\$50	Charged to all customers required to have premise inspections. Only applicable if premises comply with the Ordinance at time of inspection.
Backflow Prevention Assembly Administrative Charge	\$30	Annual fee for each backflow prevention assembly located at the premise.
Late Report Fee	\$100	Monthly fee assessed for passing test reports submitted more than 30 days past the due date. A late fee will be charged until a passing report is submitted.
Non-Existent Containment Backflow Preventer Fee	\$200	Monthly fee for each service line without a backflow preventer or with an unapproved backflow preventer
Unauthorized Connection Fee	\$200	Monthly fee for each service line with an unauthorized tee, branch, connection fitting, or opening between containment backflow prevention assembly and the service connection

- (1) Containment Inspection Fees. An inspection fee shall be assessed to all customers required to have premise inspections to cover expenses incurred by the Water Authority during the initial inspection of the premise. The inspection fee shall be assessed only to those customers whose premises are in compliance with this Ordinance at the time of inspection.
- (2) Backflow Prevention Assembly Administrative Charge. All customers required to provide cross-connection control by containment and/or isolation shall be assessed an annual administrative fee (fee is not to be prorated in case of change in ownership) for each backflow prevention assembly located at the premise. This fee incorporates expenses incurred by the Water Authority to maintain records, to process required testing notices, and to enter data as required.
- (3) Late report fee. A monthly late report fee may be assessed for passing test reports submitted more than 30 days past the due date. The late report fee will be assessed monthly until a passing test report is submitted.
- (4) Non-existent containment backflow preventer assembly fee. A monthly non-existent containment backflow preventer assembly fee may be assessed for each service line without a backflow preventer or with an unapproved backflow preventer.
- (5) Unauthorized connection fee. A monthly unauthorized connection fee may be assessed for each service line with an unauthorized tee, branch, connection fitting, or opening between the containment backflow prevention assembly and the service connection.

G. METER RESET

Contact the Water Authority for price quote.

H. TAG AND TESTING CHARGE

When a customer disputes meter accuracy, a “Tag & Test” service will be done after all the steps taken by the Water Authority have been exhausted and if requested in writing by the legal property owner or his/her authorized representative. Should the meter fail the accuracy test such that the requestor was being overcharged, there would be no charge to the requestor.

Tag and Testing Charge

Meter Size	Tag and Testing Charge Service	Testing Standards
5/8 X 3/4"	\$140	AWWA Standard C705
1"	\$185	AWWA Standard C705
1 1/2"	\$380	AWWA Standard C705
2"	\$455	AWWA Standard C705
3" and greater	\$500	AWWA Standard C701, C702 or C703 & AWWA manual M6

I. SEPTAGE FEES

Septage Fees. Each time the septage hauler enters the septage disposal site at the Southside Water Reclamation Plant, the permittee will be assessed a charge based on the type of permitted waste and based on 85% of the permitted septage hauler tank capacity no matter the amount discharged. The amount of the Septic Tank and Chemical Toilet charge shall be adjusted annually by building cost or construction cost indices (BCI or CCI) as published by the Engineering News Record (ENR), or as directed by the Water Authority Board.

Charge Type	Charge Amount	Description
Septic Tank Charge	\$0.03202 per gallon	Applies to septic tank waste
Chemical Toilet Charge	\$0.06701 per gallon	Applies to chemical toilet waste
Septage Hauler Registration Charge	\$25 per vehicle, per year	Required for all septage haulers submitting an application
Septage Hauler Deposit	\$500 (one-time)	Required for new septage haulers only with completed application

1-1-8. FRANCHISE FEE

There shall be a charge of four percent (4%) on the total sales of water and sewer services added to customer billings to compensate the Water Authority for the franchise fee charged by

the City of Albuquerque, Bernalillo County and the Village of Los Ranchos and a charge of two percent (2%) on the total sales of water and sewer services added to customer billings to compensate the Water Authority for the franchise fee charged by the City of Rio Rancho for the granted authorization to use rights-of-way and public places to construct, operate, and maintain water and wastewater systems.

1-1-9. PAYMENT

All charges shall be payable at any location as designated by the Water Authority and will become delinquent 15 days following the "due by" date on the Customer's utility statement.

- A. The Water Authority shall accept payment by cash, check, ACH (electronic check), credit card, debit card, or digital wallet.
- B. Each payment made by credit card, debit card, or digital wallet will be assessed a convenience fee to help offset the associated third-party transaction charges. The convenience fees shall be as follows:
 - (1) Residential accounts: a flat fee of \$1.95 per transaction using a credit card, debit card, or digital wallet.
 - (2) Non-residential accounts: a fee equal to 2.95 percent (2.95%) of the total transaction amount per transaction using a credit card, debit card, or digital wallet.
- C. The Water Authority may adjust the convenience fees identified in subsections "(B)(1)" and "(B)(2)", above, as necessary to correspond with escalations in the Consumer Price Index.

1-1-10. PENALTY FOR DELINQUENT ACCOUNTS

A penalty of 1.5 percent (1.5%) per month may be imposed on any delinquent amount owed.

1-1-11. PENALTY FOR NONCOMPLIANCE WITH SEWER USE AND WASTEWATER CONTROL ORDINANCE

- A. Any permitted Industrial user who has violated, or continues to violate, any Pretreatment Standard or Requirement as defined in the Sewer Use and Wastewater Control Ordinance shall be assessed a penalty of up to \$1,000 per violation per day.
- B. Any other violations of the Sewer Use and Wastewater Control Ordinance may be subject to a penalty up to \$1,000 per violation per day.

1-1-12. DISCONTINUANCE OF SERVICE; HEARING

- A. The Water Authority may cause the water supply to be turned off and discontinue service to the property if any charge provided for herein remains unpaid for a period of 30 days from the "due by" date on the Customer's utility statement. Service may not be discontinued for delinquencies of a previous owner unless a lien, or a record has been filed prior to the real property changing ownership or responsibility with the Bernalillo County Clerk indicating that outstanding Utility charges remain.
- B. To discontinue service, a written notice shall be sent to the Customer at least ten calendar days' notice before termination of service and notice of the right to protest the Water Authority's proposed action at an administrative hearing.
- C. The Customer must request in writing that a hearing be held, and such request must be received by the Executive Director on or before the date the services are to be terminated. If the Customer requesting the hearing is not the owner of record, the Customer must provide proof that the owner of record will be bound by the decision of the hearing officer.
- D. At such hearing, the Customer may present evidence as the Water Authority and the Executive Director, or his designated hearing officer, may affirm, overrule, or modify the decision to terminate the services. The decision shall be final.
- E. In the event a hearing is requested, the services shall not be terminated pending the conclusion of the hearing and this issuance of a decision.
- F. A non-refundable hearing fee of \$50.00 shall accompany each appeal filed pursuant to this §1-1-12.
- G. For purposes of expediting the satisfaction of delinquent accounts, the Executive Director may at his discretion waive, credit, and/or remove penalty fees or other fees from any account.

1-1-13. EFFECTIVE DATE AND PUBLICATION

The effective date of this Ordinance will be July 1, 2026, unless otherwise stated.

1-1-14. PROHIBITIONS

- A. Section 1.

(1) No person shall use or cause to be used any water produced or distributed by the Water Authority without the consent of Water Authority. Water distributed through an authorized meter or obtained by any means authorized by ordinances or administration of rules and regulations shall constitute the consent of the Water Authority.

- (2) No person shall discharge or cause to be discharged any liquid waste to the liquid waste collection or treatment system operated by the Water Authority without the consent of the Water Authority and in compliance with the Water Authority's Sewer Use and Wastewater Control Ordinance. Approved connections or permits shall constitute such consent.
- (3) No person shall willfully break, injure, or tamper with any property of the Water Authority, including but not limited to wells, pump stations, reservoirs, sewage treatment plants, lift stations, distribution lines, fire hydrant service lines, meters, gate valves, manhole covers, or grates.
- (4) Violation of any of the above-described Prohibitions constitutes a violation of the conditions of Water Authority service and may be subject to a connection service charge of \$400.00 per occurrence and charges of four years of usage based upon prior usage or the customer class average or termination of service.

B. Section 2.

- (1) SEVERABILITY CLAUSE. If any Section, paragraph, sentence, clause, word, or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Water Authority hereby declares that it would have passed this Ordinance, and each Section, paragraph, sentence, clause, word, or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

