

# ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. F/S O-12-1

1 **ORDINANCE**

2 **AMENDING THE ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY**  
3 **AUTHORITY WATER AND SEWER RATE ORDINANCE TO ADD A 5 PERCENT**  
4 **RATE ADJUSTMENT FOR FY16 AND FY18, ESTABLISH THE IRRIGATION**  
5 **BUDGET SURCHARGES ARE CONSISTANT WITH OTHER ACCOUNTS,**  
6 **ESTABLISH THE PROCEDURES FOR IRRIGATION BUDGETS, CHANGING**  
7 **DEFINITIONS, UPDATE UTILITY EXPANSION CHARGE AND WATER SUPPLY**  
8 **CHARGE BY THE ENGINEERING NEWS REPORT INDEX, AND CLARIFY AND**  
9 **CHANGE POLICY ITEMS AND CLERICAL CHANGES.**

10 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD, THE GOVERNING BODY  
11 OF THE WATER AUTHORITY:

12 Section1. Section 1 is amended as follows:

13 Section 1 WATER AND SEWER RATES

14 1-1-1. SHORT TITLE.

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

17 1-1-2. COMPUTATION OF REVENUES, EXPENSES AND DEBT SERVICE;  
18 DETERMINATION OF DEBT COVERAGE; REQUIRED MONTHLY FIXED CHARGE.

19 (A) Definition of Terms.

20 AWWA. American Water Works Association.

21 ~~[- CARNUEL MUTUAL DOMESTIC WATER AND WASTEWATER -]~~

22 CONSUMERS ASSOCIATION (CMDWWCA). Non-profit organization

23 generally located in the Carnuel land grant established in 2001 under the laws of New  
24 Mexico Sanitary Projects Act.

25 [+COST OF SERVICE A rate setting methodology that is legally and

26 fiscally required by bond covenants which sets sewer charges based upon EPA

27 guidelines, uses a standard rate setting approach within the industry, requires users to

[+Bracketed/Underscored Material+] - New  
[-Bracketed/Strikethrough Material-] - Deletion

1 pay their proportionate cost of the system and creates equity within classes of  
2 customers and among classes of customers. +]

3 CITY. The City of Albuquerque, New Mexico.

4 COUNTY. Bernalillo County, New Mexico.

5 CURRENT DEBT SERVICE REQUIREMENT. Payments into a current  
6 debt ordinances authorizing the issuance of bonds to be paid from the net revenues of  
7 the systems.

8 CUSTOMER. [- Any person, association, corporation or other entity  
9 receiving Utility service in the Service Area. -] [+Any person, association, corporation, or  
10 entity receiving Utility service, related products or services in the metropolitan Service  
11 Area. +]

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

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

19 EXECUTIVE DIRECTOR. The Executive Director of the Water Authority.

20 EXPENSES. All expenses necessary for the operation and maintenance  
21 of the water and sewer systems, excluding depreciation and payments in lieu of taxes  
22 and expenditures for capital items.

23 FISCAL YEAR. July 1 through June 30.

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

28 LOW INCOME HOUSING DEVELOPMENTS. Any multi-family residential  
29 development constructed by the City of Albuquerque or Bernalillo County or a non-  
30 private developer in conjunction with one of these local governments which is  
31 substantially intended to provide affordable housing to very low income citizens as  
32 defined by 60 percent or less of median income as established by the US Department of  
33 Housing and Urban Development and/or approved by the Executive Director.

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

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.

REVENUES. For this purpose revenues will include all charges for current water and sewer service, income from miscellaneous services or property, interest on investments of the Joint Water and Sewer Funds, connection fees, and interest on notes or other receivables.

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.

UEC. Utility Expansion Charge

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.

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

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

WATER SUPPLY CHARGE (WSC). A charge that 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-][+ not located within the Water Authority's service area requiring a development agreement +].

WINTER MEAN. 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 mean or if a customer's winter mean is zero, then the mean for that customer will be based off the class and size average mean. For those residential customers that have

1 a winter mean greater than zero units but less than four units and does not fall in the  
2 category of a new account then their winter mean used for the Conservation Surcharge  
3 will be four units. For those residential customers that have a winter mean greater than  
4 15 units their winter mean used for the Conservation Surcharge will be 15 units.

5 (B) Computation of Revenues, Expenses and Debt Service. At the end of  
6 each quarter of the fiscal year a determination will be made as to the total revenues,  
7 expenses and current debt service requirements of the system in accordance with  
8 definitions in §1-1-2(A). The determination will be made by the end of the first month  
9 following the end of each quarter. The results of the determination will be transmitted to  
10 the Water Authority.

11 (C) Increasing Minimum Monthly Fixed Charges. If the determination of §1-1-  
12 2(B) above shows that the total revenues minus the expenses of the system are less  
13 than 133 percent of the current debt service for the cumulative quarter of the fiscal year,  
14 the fixed monthly charge will be increased for water and sewer accounts. The increase  
15 in fixed monthly charges will be a percentage of the established fixed monthly charges  
16 that produce additional revenues so that if the adjusted charges had been effective the  
17 previous quarter, the total revenues would have been sufficient to pay operating  
18 expenses and 133 percent of current debt service. The increased fixed monthly  
19 charge will be effective the second month following the quarter (i.e., the month following  
20 the determination), and will remain in effect until such time as the Water Authority acts  
21 on water and sewer rates. If the determination of §1-1-2(B) above shows the total  
22 revenues minus the expenses of the system are less than 133 percent of the current  
23 debt service for the cumulative quarter of the fiscal year, it shall be determined if the  
24 revenue loss is due to efforts of Water Authority Customers to conserve water by  
25 reviewing usage patterns. If the usage study shows that the reduced revenues are due  
26 to conservation efforts, the Executive Director shall analyze the Utility's operations for  
27 the purpose of determining whether or not corresponding expense reductions can be  
28 effected and shall present any such expense reduction proposals to the Water  
29 Authority.

30 (D) Increasing Water Commodity Charges. If the quarterly analysis of power  
31 cost related to water pumping shows that costs are increasing or decreasing, the  
32 Executive Director is authorized to adjust the water commodity charge to reflect the

1 change. An adjustment in the commodity charge will only be made if the needed  
2 commodity charge adjustment is \$0.01 or greater, and shall be in \$0.01 increments.

3 (E) General Procedural Provisions. The Executive Director may enact  
4 regulations to carry out the purposes of this Ordinance.

5 1-1-3. WATER RATES.

6 (A) Definitions. As used in this Section, unless the context otherwise  
7 requires:

8 CUSTOMER CLASSIFICATIONS Include:

9 (1) RESIDENTIAL. Single-family detached, condominiums served by  
10 individual meters, townhouses served by individual meters, duplexes served by  
11 individual meters, or mobile homes served by individual meters.

12 (2) MULTI-FAMILY. Any metered/account serving more than one  
13 dwelling unit; i.e., duplexes, residences with guests houses, triplexes, four-plexes,  
14 apartment complexes, condominiums, town-homes, or mobile homes served by  
15 common meters.

16 (3) COMMERCIAL. Retail, offices, hotels, motels, shopping centers,  
17 none of which use process water in the conduct of business.

18 (4) INDUSTRIAL. Manufacturing, or process facility which is engaged  
19 in producing a product.

20 (5) INSTITUTIONAL. Government buildings, hospitals, schools, and  
21 other facilities that provide public and quasi-public services.

22 (B) Water Credit Eligibility and Procedures.

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

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

31 (C) Metered Water Service.

32 (1) The rates and compensation to be paid to the Water Authority for  
33 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. In addition to this Fixed Monthly Charge, there shall be a Strategy Implementation Fixed Monthly Charge, §1-1-3(B)(2), which shall be dedicated to the Sustainable Water Supply Program ~~[-in Fund 622-]~~.

Fixed Monthly Charge - Metered Service

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-family
1	$\frac{5}{8} \times \frac{3}{4}$	\$8.22	\$8.39	\$ 17.65	\$8.85	\$10.56
2	1	15.72	16.04	34.91	17.00	20.49
3	1½	54.27	55.45	123.71	58.93	71.52
4	2	121.80	124.48	279.27	132.34	160.92
5	3	224.32	229.30	515.33	243.81	296.61
6	4	535.11	546.95	1231.28	581.70	708.07
7	6	821.07	839.30	1889.39	892.59	1086.46
8	8 & over	1854.33	1895.43	4269.49	2225.98	2454.32

Effective July 1, 2013

Fixed Monthly Charge - Metered Service

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-family
1	$\frac{5}{8} \times \frac{3}{4}$	\$8.63	\$8.81	\$ 18.53	\$9.29	\$11.09
2	1	16.51	16.84	36.66	17.85	21.51
3	1½	56.98	58.22	129.90	61.88	75.10
4	2	127.89	130.70	293.23	138.96	168.97
5	3	235.54	240.77	541.10	256.00	311.44
6	4	561.87	574.30	1292.84	610.79	743.47
7	6	892.12	881.27	1983.86	937.22	1140.79
8	8 & over	1947.05	1990.20	4482.96	2337.28	2577.04

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and a schedule of charges will be designed and implemented based upon the Water Authority's Cost of Service Rate Model.+]

(2) In addition to the Fixed Monthly Charge in §1-1-3([-B-] [+C+]), the rates and compensation to be paid to the Water Authority for public and private use of water supplied by the Water Authority within the Service Area for any and all purposes

shall be in accordance with the following schedule of charges. This Strategy Implementation Fixed Monthly Charge shall be dedicated to the Sustainable Water Supply[- Program in Fund 622 -]to fund the implementation, operation and maintenance of the Water Resources Management Strategy, which will develop the Water Authority's surface water supplies. Any interest earned on these dedicated funds shall be used only for this purpose.

Fixed Monthly Charge - Metered Service Strategy Implementation

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-family
1	$\frac{5}{8} \times \frac{3}{4}$	\$3.76	\$4.15	\$5.84	\$4.06	\$4.15
2	1	9.01	9.22	14.37	8.70	9.56
3	1½	14.91	16.45	23.27	16.12	16.45
4	2	26.47	29.20	41.32	28.62	29.20
5	3	59.50	65.68	92.93	64.34	65.68
6	4	105.75	116.73	165.14	114.36	116.73
7	6	237.89	262.61	371.57	257.26	262.61
8	8 & over	422.88	466.83	660.56	457.32	466.83

Effective July 1, 2013

Fixed Monthly Charge - Metered Service Strategy Implementation

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-family
1	$\frac{5}{8} \times \frac{3}{4}$	\$3.95	\$4.36	\$6.13	\$4.26	\$4.36
2	1	9.46	9.68	15.09	9.14	10.04
3	1½	15.66	17.27	24.43	16.93	17.27
4	2	27.79	30.66	43.39	30.05	30.66
5	3	62.48	68.96	97.58	67.56	68.96
6	4	111.04	122.57	173.40	120.08	122.57
7	6	249.78	275.74	390.15	270.12	275.74
8	8 & over	444.02	490.17	693.59	480.19	490.17

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and a schedule of charges will be designed and implemented based upon the Water Authority's Cost of Service Rate Model.+]

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

4 Fixed Monthly Charges- Pajarito Mutual Domestic

5 Meter Size

6  $\frac{3}{4}$  \$12.57

7 1 25.37

8  $1\frac{1}{2}$  73.40

9 2 157.61

10 3 327.55

11 4 728.07

12 6 1228.95

13 8 2606.77

14 ~~[- Fixed Monthly Charges — Carnuel Mutual Domestic~~

15 ~~Meter Size —~~

16 ~~2 ————— \$4,491.02 -]~~

17 [+Effective July 1, 2015 and July 1, 2017

18 A 5 percent increase is approved and a schedule of charges will be designed and  
 19 implemented based upon the Water Authority's Cost of Service Rate Model.+]

20 (D) Unmetered Water Service.

21 (1) For service connections to the utility for private fire protection.

22 Applicable to all service through which water is used solely for extinguishing accidental  
 23 fires.

24 Fixed Monthly Charge

25 Line Size Service Area

26 (inches)

27 2 \$4.40

28 3 6.60

29 4 8.80

30 6 16.50

31 8 25.30

32 10 35.20

33 12 51.70



1 [+Effective July 1, 2015 and July 1, 2017

2 A 5 percent increase is approved and a schedule of charges will be designed and  
3 implemented based upon the Water Authority's Cost of Service Rate Model.+]

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

7 (E) Private Use of Fire Hydrants for Non-Potable Use.

8 (1) Permits

9 (a) Connections to fire hydrants at any location are prohibited  
10 except by the Water Authority, Fire Departments within the service area or by written  
11 permit (fire hydrant meter permit) issued by the Water Authority. The Fire Departments  
12 within the service area are given permission to use fire hydrants based upon written  
13 agreements with the Executive Director which pertain to inspection and maintenance.  
14 Each Fire Department is required to perform agreed upon maintenance on all fire  
15 hydrants within their service area[+a+] as a condition of use.

16 (b) A qualified applicant (business owner or licensed contractor)  
17 or designated agent wishing to obtain a fire hydrant meter permit must submit a  
18 completed application form to the Water Authority. Completed and signed applications  
19 may be mailed or hand delivered. If the applicant assigns a designated agent to obtain  
20 the permit, a designated agent certification form must be signed and notarized by the  
21 business owner or licensed contractor and submitted with the completed application.

22 (c) Fire hydrant meter permits may be issued for a period not to  
23 exceed one year. Failure to comply with one or more of the terms and conditions shall  
24 be cause for terminating the permit.

25 (d) Under a standard fire hydrant meter permit, the applicant  
26 may request the use of any fire hydrant from the Water Authority's designated network  
27 of green-top fire hydrants. Applicants desiring to use an out-of-network hydrant must  
28 submit a written request with the fire hydrant meter application stating the reason(s) for  
29 needing to use the out-of-network hydrant. Water Authority staff will review such  
30 requests on a case by case basis and a decision shall be issued within three business  
31 days of receiving the request.

32 (e) The Water Authority reserves the right to refuse to issue a  
33 fire hydrant meter permit to any applicant or to require an applicant to pay all current

1 charges on the applicant's Water Authority account as a condition to the issuance of a  
2 permit.

3 (2) System Connection and Water Use.

4 (a) Water taken from fire hydrants may be used only for non-  
5 potable, non-recreational purposes within the Water Authority service area. The use of  
6 non-potable water taken from fire hydrants for swimming pools is prohibited.

7 (b) The permit holder shall utilize a backflow prevention method  
8 or device acceptable to the Water Authority at all times the fire hydrant meter is in use  
9 to protect the Water Authority's water supply. Failure to use an acceptable backflow  
10 prevention method or device shall be cause for confiscating the fire hydrant meter and  
11 terminating the permit.

12 (c) The Executive Director can appoint employees to inspect fire  
13 hydrant meters at anytime, but not less than once per annum. Permit holders shall  
14 make provisions for such inspections.

15 (d) For permit holders that contract with the Water Authority, the  
16 Executive Director is authorized to withhold all or a portion of the surety bond for  
17 outstanding fire hydrant meter charges including but not limited to repair and  
18 replacement of the hydrant meter and usage.

19 (3) Loss, Damage and Payment Surety Bond.

20 (a) A loss, damage and payment surety deposit of \$3,000.00 for  
21 each fire hydrant meter is required at the time the permit is issued. If a fire hydrant  
22 meter is lost or stolen, the \$3,000.00 deposit shall be forfeited and the permit holder  
23 shall be assessed up to \$1,000.00 charge for water usage.

24 (b) All or a portion of the loss, damage and payment surety  
25 deposit will be refunded depending upon the cost of repairing the fire hydrant meter and  
26 the outstanding balance for meter charges when it is returned to the Water Authority.  
27 The Water Authority shall cause the repair work and compute the time and materials  
28 necessary to rehabilitate the fire hydrant meter.

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

32 (4) Reporting. The permit holder shall be required to report and pay  
33 for fire hydrant water usage on a monthly basis. Fire hydrant meter readings shall be

submitted, in writing 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.

(a) The nonrefundable connection fee is \$230 for each hydrant issued for a fire hydrant meter permit.

(b) All fire hydrant meter permit holders shall pay a monthly maintenance charge of \$70. This monthly maintenance charge shall not be prorated.

(c) All water withdrawn from a fire hydrant shall be charged at the current commodity rate. Connections to fire hydrants in violation of this Ordinance will be subject to the penalties specified herein and shall be considered an illegal connection and be subject to hydrant meter confiscation.

(d) 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) 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 rate of \$0.971 per unit (one unit equals 100 cubic feet). In addition, there shall be a charge, added to this commodity charge, of the amount necessary to compensate the Water Authority for the water conservation fee charged by the State [+of New Mexico+] and for the Sustainable Water Supply [- Program in Fund 622 -], §1-1-3([-E-][+E+])(2). This is determined by the meter reading or by estimating the usage by statistical methods. Customers shall pay bills monthly.

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and will be implemented based upon the Water Authority's Cost of Service Rate Model.+] ]

(b) Included in the commodity charge is a \$0.116 charge per unit that will be dedicated to the Water Resources Management Program in Fund 621 to fund the Ground-Water Protection Policy and Action Plan, the Water Conservation Program, Water Resources Management Planning and Arsenic Investigations. All interest earned on these dedicated funds shall be used only for this purpose.

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and will be implemented based upon the Water Authority's Cost of Service Rate Model.+] ]

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

Pajarito Mutual Domestic - \$1.12 per 100 CCF

~~[- Carmel Mutual Domestic - \$1.10 per 100 CCF - ]~~

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and will be implemented based upon the Water Authority's Cost of Service Rate Model.+] ]

(2) In addition to the fixed monthly charges and the Commodity Charge, §1-1-3([~~E~~][+E+])(1)(a), all water used by a Customer within the Service Area for any purpose whatsoever shall be charged at the rate of \$0.444 per unit (one unit equals 100 cubic feet). This charge per unit will be dedicated to a Sustainable Water Supply [~~Program in Fund 622~~ -] to fund the Water Resources Management Strategy. Any interest earned on these dedicated funds shall be used only for this purpose.

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and will be implemented based upon the Water Authority's Cost of Service Rate Model.+] ]

(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 on the bill. The Executive Director may administratively adjust bills periodically by crediting and debiting accounts as appropriate if errors have been found and verified.

(4) (a) Surcharges for 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~~[- , in accordance with the~~

~~Water Authority's Water Waste Ordinance. -~~ [+ and in accordance with the following:

(i) 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.

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

(iii) All golf courses existing prior to October 1, 1995 will be allowed up to 40 inches of water over the entire landscaped area per calendar year.

(iv) All new golf courses or existing golf course expansions permitted after October 1, 1995 will be allowed up to 37 inches of water over the entire landscaped area per calendar year.

(v) Athletic fields will be allowed up to 45 inches of water over the entire landscaped area per calendar year.

(vi) All other landscaped areas will receive a water budget of 35 inches of water over the entire landscaped area per calendar year. +]

A surcharge will be applied to the usage above the annual irrigation budget allowance. For excess usage up to 150 percent (first tier) of the annual irrigation budget, the surcharge shall be 50 percent of the commodity rate shown in §1-1-3([-E-][+F+])(1)(a) and §1-1-3([-E-][+F+])(2). For excess usage greater than 150 percent (second tier) of the annual irrigation budget, the surcharge shall be 100 percent of the commodity rate shown in in §1-1-3([-E-][+F+])(a) and in §1-1-3([-E-][+F+])(2). [+For excess usage greater than 200 percent (third tier) of the annual irrigation budget, the surcharge shall be 150 percent of the commodity rate shown in §1-1-3(F)(1)(a) and §1-1-3(F)(2).+]

(b) The surcharge amount added for each unit exceeding 200 percent of the Winter Mean water usage as calculated in §1-1-2(A), shall be equal to 50 percent of the commodity charges in in §1-1-3([-E-][+F+])(1)(a) and in §1-1-3([-E-][+F+])(2), and shall be added to the total charge determined in in §1-1-3([-E-][+F+])(4)(b) for usage during the following months of April through October. For those residential customers that have a Winter Mean equal to or greater than 15 units, the surcharge amount added for each unit exceeding 200 percent of the Winter Mean water usage as calculated in §1-1-2(A), shall be equal to 100 percent of the commodity charges in in §1-1-3([-E-][+F+])(1)(a) and in §1-1-3([-E-][+F+])(2), and shall be added to

1 the total charge determined in §1-1-3([-E-][+E+])(4)(b) for usage during the following  
2 months of April through October.

3 (c) The surcharge amount added for each unit exceeding 300  
4 percent of the Winter Mean water usage as calculated in §1-1-2(A), shall be equal to 50  
5 percent of the commodity charges in §1-1-3([-E-][+E+])(1)(a) in §1-1-3([-E-][+E+])(E)(2),  
6 and shall be added to the total charge determined in §1-1-3([-E-][+E+])(4)(b) for usage  
7 during the following months of April through October. For those residential customers  
8 that have a Winter Mean equal to or greater than 15 units, the surcharge amount added  
9 for each unit exceeding 300 percent of the Winter Mean water usage as calculated in  
10 §1-1-2(A), shall be equal to 100 percent of the commodity charges in in §1-1-3([-E-  
11 ][+E+])(1)(a) and in §1-1-3([-E-][+E+])(2), and shall be added to the total charge  
12 determined in in §1-1-3([-E-][+E+])(4)(b) for usage during the following months of April  
13 through October.

14 (d) The surcharge amount added for each unit exceeding 400  
15 percent of the Winter Mean water usage as calculated in §1-1-2(A) shall be equal to 50  
16 percent of the commodity charges in §1-1-3([-E-][+E+])(1)(a) and §1-1-3([-E-][+E+])(2),  
17 and shall be added to the total charge determined in in §1-1-3([-E-][+E+])(4)(b) for  
18 usage during the following months of April through October. For those residential  
19 customers that have a Winter Mean equal to or greater than15 units, the surcharge  
20 amount added for each unit exceeding 400 percent of the Winter Mean water usage as  
21 calculated in §1-1-2(A), shall be equal to 100 percent of the Commodity Charges §1-1-  
22 3([-E-][+E+])(a) and in §1-1-3([-E-][+E+])(2), and shall be added to the total charge  
23 determined in in §1-1-3([-E-][+E+])(4)(b) for usage during the following months of April  
24 through October.

25 (e) Drought Related Surcharges. Under the four levels of  
26 Drought defined in the Drought Management Strategy, the Water Authority may, at its  
27 sole discretion, increase surcharges described in §1-1-3 by a factor of two, three or  
28 more as may be necessary to assist in water use reduction during a drought. During a  
29 drought, the Water Authority shall declare to the public the Drought Level, which can be  
30 raised and lowered by the Water Authority, and the proposed increase in surcharges.  
31 The Drought level only applies to the current year and must be approved by the Water  
32 Authority on a year by year basis. The Water Authority delegates the implementation of  
33 the Drought Management Strategy including the increase of surcharges to the

Executive Director. Based on the Drought Level approved by the Water Authority, the Executive Director shall implement the Drought Management Strategy and announce the effective date of the new surcharges. ~~[- Surcharges, however, shall revert to the surcharges described in §1-1-3 after November 1 of that same year. -]~~

(f) For residential class Customers only having service sizes 1 through 3, a 30 percent discount shall be applied to the commodity charges in §1-1-3(~~[-E-]~~~~+~~E)(1)(a) in §1-1-3(~~[-E-]~~~~+~~E)(2) for water usage during the months of April through October which is 150 percent or less than the Class Winter Mean water usage.

(G) Multiple Meter Service. Customers with service by more than one meter to any premise shall be charged the applicable fees associated with each meter except for single-family residential Customers who have two meters, of which one 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.

(H) Water Credit. For those accounts included within the Water Credit classification, a credit of \$10.31 per month will be applied to their billing; the billing shall be calculated using the Fixed Monthly Charge and Commodity Charge as set forth in this Ordinance.

(I) 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.

(1) Meters 5/8 X 3/4" to 2"

Meter Size	Tag and Testing Charge Service
------------	--------------------------------

5/8" x 3/4"	\$140
-------------	-------

1"	185
----	-----

1-1/2"	380
--------	-----

2"	455
----	-----

The meter in question will be removed and a new one installed so that service can be maintained. The removed meter will be bench tested by the Water Authority in accordance with AWWA Standard C705. Should the meter fail the accuracy test such that the requestor was being overcharged, there would be no charge to the requestor.

(2) Meter 3" and greater. The meter in question will be tested in place in accordance with AWWA Standard C701, C702 or C703 and AWWA manual M6.

1 Should the meter fail the accuracy test such that the requestor was being over charged,  
2 there would be no charge to the requestor. The testing charge for this will be \$500 for  
3 all sizes.

4 (J) The Customer utility statements shall contain the following itemized  
5 element: "Sustainable Water Supply: \$`x,' where `x' shall be the cost of the rate  
6 increase to fund the implementation of the Water Resources Management Strategy.

7 (K) Customer utility statements shall contain the following itemized element:  
8 "Facility Rehabilitation: \$`x,' where `x' shall be the cost of the rate increase to fund  
9 facility rehabilitation."

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

14 1-1-4. NON-POTABLE WATER RATES.

15 (A) Definitions. Refer to §1-1-3 Water Rates for the definitions of Customer  
16 Classifications, which apply to this Section.

17 (B) Metered Service. The rates and compensation to be paid to the Water  
18 Authority for public and private use of non-potable water supplied by the Water Authority  
19 within the Service Area for any and all purposes shall be in accordance with the  
20 schedule of charges listed in §1-1-3(B) for potable water metered service.

21 (C) Commodity Charge.

22 (1) In addition to the Fixed Monthly Charge, all non-potable water used  
23 by a Customer within the Service Area shall be charged at the rate corresponding to 80  
24 percent of the potable water commodity rate (one unit equals 100 cubic feet). This is  
25 determined by the meter reading or by estimating the usage by statistical methods.  
26 Customers shall pay bills monthly.

27 (2) Bills may be based on the estimated average annual non-potable  
28 water use by units, annualized and divided by 12 months, plus the fixed monthly charge.  
29 Any special charges, such as UEC, shall be included on the bill. The Executive Director  
30 may administratively adjust bills periodically by crediting and debiting accounts as  
31 appropriate if errors have been found and verified.

32 (3) [+All surcharges for irrigation-only water accounts +] ~~[- For all~~  
33 ~~Customers subject to the water budget provisions of the City of Albuquerque Water~~



1 ~~Conservation Landscaping and Water Waste Ordinance, § 6-1-1-1 et seq., ROA 1994~~  
2 ~~or successor Ordinance the excess use surcharge rate as defined per §1-1-3(E)(4)(b) -]~~  
3 shall be charged at the rate based upon the non-potable water commodity rate (one unit  
4 equals 100 cubic feet).

5 (D) Multiple Meter Service. Customers with non-potable water service by  
6 more than one meter to any premise shall be charged the applicable fees associated  
7 with each meter.

8 (E) Tag and Testing Charge. Refer to §1-1-3 ([~~H~~][+I+]) for applicable  
9 provisions and charges.

10 (F) Utility Expansion Charge (UEC).

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

18 (2) The UEC for non-potable water service shall be the same as the  
19 UEC for potable water service. Refer to §1-1-8 (A) for applicable provisions and  
20 charges.

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

24 (4) Redundant potable water and non-potable water metered services  
25 are not required for non-potable service.

26 (G) Non-potable Water Meter and Service Installation Fees. Refer to §1-1-9  
27 for applicable provisions and charges.

28 (H) Customers that are currently using potable water for irrigation or other  
29 qualified industrial purposes as determined by the [Water] Authority and whose  
30 property is located within 200-feet of a non-potable water line are required to connect to  
31 the non-potable system within one year of service availability. Connection to non-  
32 potable system is a condition of service. The Water Authority is required to provide  
33 written notification to the property owner that non-potable water is available and that

1 connection to the system is mandatory. If requested, the Water Authority will meet with  
2 the affected property owners and provide additional information regarding service  
3 availability, connection locations and other information that may be deemed necessary.  
4 The property owner has one year from the date of notification. Failure to connect may  
5 result in termination of service.

6 (I) Water Rights Leases. Beginning July 1, 2006, except for lease  
7 agreements that provide for periodic rate increases, water rights leases entered into by  
8 the Water Authority for the purpose of offsetting depletive effects on the Rio Grande  
9 from pumping by others shall be charged at the non-potable water rate.

10 1-1-5. SEWER RATES.

11 (A) Definitions. For the purpose of this Section, the following definitions shall  
12 apply unless the context clearly indicates or requires a different meaning.

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

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

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

22 NH<sub>3</sub>N OR AMMONIA NITROGEN. Total Ammonia – A measure of  
23 the total ammonia as nitrogen concentration as milligrams per liter (mg/L) by Standard  
24 Methods or EPA approved procedures.

25 CUSTOMER CLASSIFICATIONS.

26 (1) RESIDENTIAL. Single-family detached, condominiums served by  
27 individual meters, townhouses served by individual meters, duplexes served by  
28 individual meters, or mobile homes served by individual meters.

29 (2) MULTI-FAMILY. Any metered/account serving more than one  
30 dwelling unit; i.e., duplexes, residences with guests houses, triplexes, four-plexes,  
31 apartment complexes, condominiums, town-homes, or mobile homes served by  
32 common meters.

(3) COMMERCIAL. Retail, offices, hotels, motels, shopping centers, none of which use process water in the conduct of business.

(4) INDUSTRIAL. Manufacturing, or process facility which is engaged in producing a product.

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

(6) WHOLESALE-SPECIAL CONTRACTS. Contract Customers that are responsible for a collection system beyond the point where their respective wastewater discharges into the Water Authority's interceptors.

(7) KIRTLAND AIR FORCE BASE (KAFB).

INDUSTRIAL LIQUID WASTES. All waterborne solids, liquids or gaseous wastes resulting from any industrial, manufacturing of food processing operation or process, or from the development of any natural resources, or any mixture of these with water or domestic sewage as distinct from normal domestic sewage.

LATERAL SEWER. An individual user's sewer pipe beginning at the public sewer and extending to the premises actually 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."

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

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

1 plants, sanitary sewers, lift stations, odor control stations, and all other properties, now  
2 or hereafter existing, used or useful in connection with the collection, pumping, disposal  
3 and treatment of wastewater, as now or hereafter added to, expanded or improved.

4 SEWER CREDIT ELIGIBILITY AND PROCEDURES. Single-family  
5 detached, condominiums, townhouses, duplexes or triplexes served by common or  
6 individual meters; mobile homes served by individual meters; but limited to those  
7 Customers who own the dwelling in which they reside and qualify under the United  
8 States Department of Health and Human Service poverty guidelines.

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

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

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

20 (B) Methodology and Calculation of Rates and Charges

21 (1) The rates and charges described in this Ordinance are developed  
22 in conformance with standard cost-of-service rate making principles as recommended  
23 by the American Water Works Association, the Water Environment Federation, and the  
24 United States Environmental Protection Agency (USEPA).

25 (2) The Water Authority's rates and charges are calculated based on  
26 each customer classification's use of the system. Historical billed flows by classification  
27 and a systematic allocation of operation, maintenance, and capital costs were used to  
28 calculate the schedule of charges contained in this Ordinance.

29 (C) Fixed Monthly Charge

30 (1) The rates and compensation to be paid to the Water Authority for  
31 public or private use by discharge of liquid waste into the Water Authority within the  
32 Service Area for any and all purposes whatsoever shall be in accordance with the  
33 following schedules of charges. The Fixed Monthly Charge for Customers with Water

Authority water service shall be based on the water service size. 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(D).

(2) Fixed Monthly Charge for Customers with water service:

Serv Size	Meter	Resid	Comm	Indust	Instit	Multi-fam
1	$\frac{5}{8} \times \frac{3}{4}$	\$7.86	\$9.72	\$44.19	\$7.53	\$13.05
2	1	12.75	15.92	74.87	12.16	21.61
3	1½	52.12	65.96	322.46	49.59	90.69
4	2	129.70	164.54	810.19	123.33	226.77
5	3	173.69	220.44	1086.80	165.15	303.95
6	4	370.03	469.92	2321.20	351.78	648.38
7	6	492.79	622.76	3093.02	468.47	863.72
8	8 & over	876.03	1112.86	5502.49	832.76	1536.01

Effective July 1, 2013

(2) Fixed Monthly Charge for Customers with water service:

Serv Size	Meter	Resid	Comm	Indust	Instit	Multi-fam
1	$\frac{5}{8} \times \frac{3}{4}$	\$8.25	\$10.21	\$46.40	\$7.91	\$13.70
2	1	13.36	16.2	78.61	12.77	22.69
3	1½	54.73	69.26	338.58	52.07	95.51
4	2	136.19	172.77	850.70	129.50	238.11
5	3	182.37	231.46	1141.14	173.41	319.15
6	4	388.53	493.42	2437.26	369.37	680.80
7	6	517.43	653.90	3247.67	491.89	906.91
8	8 & over	919.83	1168.50	5777.61	874.40	1612.81

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and a schedule of charges will be designed and implemented based upon the Water Authority's Cost of Service Rate Model.+]

(3) Fixed Monthly Charge for Customers without water service:

Liquid Waste

Flow (CCF) Residential Commercial Industrial Institutional Multi-family

1	0-10	\$7.86	\$9.72	\$44.19	\$7.53	\$13.05
2	11-19	12.75	15.92	74.87	12.16	21.61
3	20-63	52.12	65.96	322.46	49.59	90.69
4	64-82	129.70	164.54	810.19	123.33	226.77
5	83-343	173.69	220.44	1086.80	165.15	303.95
6	344-599	370.03	469.92	2321.20	351.78	648.38
7	600-803	492.79	622.76	3093.02	468.47	863.72
8	804-over	876.03	1112.86	5502.49	832.76	1536.01

9 Effective July 1, 2013

10 (3) Fixed Monthly Charge for Customers without water service:

11 Liquid Waste

12	Flow (CCF)	Residential	Commercial	Industrial	Institutional	Multi-family
13	0-10	\$8.25	\$10.21	\$46.40	\$7.91	\$13.70
14	11-19	13.36	16.20	78.61	12.77	22.69
15	20-63	54.73	69.26	338.58	52.07	95.51
16	64-82	136.19	172.77	850.70	129.50	238.11
17	83-343	182.37	231.46	1141.14	173.41	319.15
18	344-599	388.53	493.42	2437.26	369.37	680.80
19	600-803	517.43	653.90	3247.67	491.89	906.91
20	804-over	919.83	1168.50	5777.61	874.40	1612.81

21 [+Effective July 1, 2015 and July 1, 2017

22 A 5 percent increase is approved and a schedule of charges will be designed and  
 23 implemented based upon the Water Authority's Cost of Service Rate Model.+]

24 (4) Fixed Monthly Charges for Wholesale and KAFB

25	Serv Size	Wholesale	Item	KAFB
26	1	\$9.93	Per Month	\$31,631.20
27	2	16.28		
28	3	35.99		
29	4	168.40		
30	5	225.62		
31	6	480.99		
32	7	640.67		
33	8	1084.90		

Effective July 1, 2013

(4) Fixed Monthly Charges for Wholesale and KAFB

Serv Size	Wholesale	Item	KAFB
1	\$10.43	Per Month	\$33,212.76
2	17.09		
3	37.79		
4	176.82		
5	236.90		
6	505.04		
7	672.70		
8	1139.15		

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and a schedule of charges will be designed and implemented based upon the Water Authority's Cost of Service Rate Model.+]

(D) 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).

Commodity Charges for Retail and Special Contract Customers

Customer Class	Base (\$/CCF)	Rehab (\$/CCF)	Total Commodity (\$/CCF)
Retail Customers			
Residential	\$0.892	\$0.321	\$1.213
Commercial	0.892	0.321	1.213
Industrial	0.892	0.321	1.213
Institutional	0.892	0.321	1.213
Multi-family	0.892	0.321	1.213
Special Contracts			
Wholesale	\$0.892	\$0.00	\$0.892
KAFB	0.892	0.000	0.892

[+Effective July 1, 2015 and July 1, 2017

A 5 percent increase is approved and a schedule of charges will be designed and implemented based upon the Authority's Cost of Service Rate Model.+]

(1) Customers with Water Service. The commodity charge for usage during the months of December, January, February and March (winter months) shall be

1 based upon 95 percent of the metered or estimated volume of water usage during each  
2 of these months for each account. The commodity charge for usage during other  
3 months shall be based upon 95 percent of the metered or estimated volume of water  
4 usage during that month or shall be based upon 95 percent of the prior winter months'  
5 average, whichever is less for each account. The winter months' average is determined  
6 by averaging the metered or estimated volume of water used during the winter months.

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

14 (3) Special Wastewater Discharge Volume. The Water Authority  
15 recognizes that sewage discharge patterns for individual Customers may vary to a great  
16 extent from the norms of any particular class; therefore, any Customer may, at their own  
17 expense, provide the Water Authority with sewage flow data for consideration of a  
18 special wastewater discharge volume. Such data shall be certified by an engineer  
19 registered in the state. The Water Authority expressly reserves the right to determine  
20 the estimated wastewater volume for any Customer, which determination may be  
21 appealed to the Executive Director.

22 (E) Extra-Strength Surcharge.

23 (1) All Customers discharging wastewater into the POTW are subject  
24 to a surcharge if the discharged wastewater exceeds normal domestic wastewater  
25 strength. NORMAL STRENGTH is defined as:

26 (a) Chemical Oxygen Demand (COD) less than or equal to 500  
27 mg/l; and

28 (b) Biochemical Oxygen Demand (BOD) less than or equal to  
29 250 mg/l; and

30 (c) Total Suspended Solids (TSS) less than or equal to 330  
31 mg/l; and

32 (d) Ammonia Nitrogen (NH<sub>3</sub>N) less than or equal to 25 mg/l.



(2) The Water Authority shall determine strength as defined by the above parameters in §1-1-5(E)(1) above. The procedures are described (I) below. If it is determined that the wastewater strength exceeds the limits specified, a surcharge shall be levied at the rate of:

- (a) \$.11 per pound of COD for the excess of 500 mg/l of COD;
- and
- (b) \$.23 per pound of BOD for the excess of 250 mg/l BOD; and
- (c) \$.19 per pound of TSS for the excess of 330 milligrams per liter of TSS; and
- (d) \$.47 per pound of NH<sub>3</sub>N for the excess of 25 mg/l of NH<sub>3</sub>N.

(3) The Water Authority shall promulgate regulations to carry out the provisions of the extra-strength surcharge.

(F) Septic Tank Truck 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 Executive Director pursuant to the regulations "Establishing Administrative Policies and Fees for the Discharge of Septic Tank and Chemical Toilet Wastes" currently adopted by the Water Authority.

(G) Sewer Use Regulations. The Water Authority's Sewer Use and Wastewater Control or successor Ordinance, shall govern all discharges of wastewater to the POTW.

(H) Sampling; Metering Manhole Requirements. When required by the Utility, the owner of property serviced by a lateral sewer carrying industrial liquid 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 his expense, and shall be maintained by him so as to be safe and accessible at all times.

(I) Sampling and Testing Procedures.

(1) 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.

(2) 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 Waterworks Association.

(3) Sampling shall be carried out by customarily accepted methods. The particular 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, NH<sub>3</sub>N and TSS analyses are obtained from 24-hour composites of all outfalls.

(4) Those industries suspected of discharging either high COD, BOD, NH<sub>3</sub>N wastes or high TSS wastes shall be sampled for five consecutive days by grab samples or 24-hour composite samples from a Utility manhole. If COD results exceed 500 mg/l, BOD results exceed 250 mg/l, NH<sub>3</sub>N results exceed 25 mg/l, or TSS results exceed 330 mg/l on any of the three of the five consecutive days, or in any of the 24-hour composite samples, a sampling manhole will be required for industries discharging greater than 50,000 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 with attached flow meter will be used to gather a flow weighted composite which shall be used to compute a monthly surcharge. Industries discharging less than 50,000 gallons per day and not otherwise requiring a sampling manhole will be required to install a cleanout and an automatic sampler will be used to gather a time-weighted 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.

(J) Sewer Credit. For those accounts included within the Sewer Credit classification, a credit of \$9.62 per month will be applied to their billing; the billing shall

be calculated using the Fixed Monthly Charge and Commodity Charge as set forth in this Ordinance.

(K) Customer utility statements shall contain the following itemized element: "Facility Rehabilitation: \$`x,' where `x' shall be the cost of the rate increase to fund facility rehabilitation."

#### 1-1-6. WATER AND SEWER REHABILITATION FUND.

(A) An established portion of the revenue generated by fixed water rates and the Water Commodity Charge shall be distributed to a Water and Sewer Rehabilitation Fund. The fixed rate portion of the Water Rates contained in §1-1-3 (B) which shall be distributed to the Water and Sewer Rehabilitation Fund are contained in the following schedule of charges. The portion of the water commodity rate to be distributed to the Water and Sewer Rehabilitation Fund shall be \$0.140 per unit.

##### Fixed Water Rates (per month)

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-family
1	$\frac{5}{8}$ X $\frac{3}{4}$	\$1.16	\$1.18	\$2.48	\$1.24	\$1.48
2	1	2.21	2.25	4.89	2.38	2.87
3	1½	7.61	7.77	17.34	8.26	10.03
4	2	17.07	17.45	39.15	18.55	22.59
5	3	31.45	32.15	72.25	34.18	41.59
6	4	75.02	76.68	172.63	81.55	99.27
7	6	115.11	117.67	264.89	125.14	152.32
8	8 & over	259.98	265.74	598.58	312.08	344.10

Effective July 1, 2013

##### Fixed Water Rates (per month)

Serv Size	Meter Size	Residential	Commercial	Industrial	Institutional	Multi-family
1	$\frac{5}{8}$ X $\frac{3}{4}$	\$1.22	\$1.24	\$2.60	\$1.30	\$1.55
2	1	2.32	2.36	5.13	2.50	3.01
3	1½	7.99	8.16	18.21	8.67	10.53
4	2	17.92	18.32	41.11	19.48	23.72
5	3	33.02	33.76	75.86	35.89	43.67
6	4	77.27	80.51	181.26	85.63	104.23

1	7	6	120.87	123.55	278.13	131.40	159.94
2	8	8 & over	272.98	279.03	628.51	327.68	361.31

3 [+Effective July 1, 2015 and July 1, 2017

4 A 5 percent increase is approved and will be implemented based upon the Water

5 Authority's Cost of Service Rate Model.+] ]

6 (B) In addition to the portion of the commodity rate to be distributed to the  
7 Water and Sewer Rehabilitation fund as identified in §1-1-5(D) above, the following  
8 fixed rate portions of the sewer rates contained in §1-1-5 (C) shall be distributed to the  
9 Water and Sewer Rehabilitation Fund.

10 Fixed Monthly Rehabilitation Charges

11	Serv Size	Meter Sz	Resid	Comm	Indust	Instit	Multi-fam	Wholesale
12	1	5/8 X 3/4	\$1.89	\$2.34	\$10.63	\$1.81	\$3.14	\$2.38
13	2	1	3.07	3.83	18.00	2.92	5.20	3.92
14	3	1 1/2	12.53	15.86	77.51	11.92	21.80	16.22
15	4	2	31.17	39.55	197.76	29.65	54.52	40.48
16	5	3	41.76	52.99	261.25	39.70	73.07	54.23
17	6	4	88.96	112.96	557.99	84.57	155.86	115.63
18	7	6	118.46	150.47	743.53	112.61	207.63	154.01
19	8	8 & over	210.59	297.52	1322.75	200.18	369.24	273.84

20 Effective July 1, 2013

21 Fixed Monthly Rehabilitation Charges

22	Serv Size	Meter Sz	Resid	Comm	Indust	Instit	Multi-fam	Wholesale
23	1	5/8 X 3/4	\$1.98	\$2.43	\$11.16	\$1.90	\$3.30	\$2.50
24	2	1	3.22	4.02	18.90	3.07	5.46	4.12
25	3	1 1/2	13.16	16.65	81.39	12.52	22.89	17.06
26	4	2	32.73	41.53	207.65	31.13	57.25	42.50
27	5	3	43.85	55.64	274.31	41.69	76.72	56.94
28	6	4	93.41	118.61	585.89	88.80	163.65	121.41
29	7	6	124.38	157.99	780.71	118.24	218.01	161.71
30	8	8 & over	221.12	312.40	1388.89	210.19	387.70	287.53

31 [+Effective July 1, 2015 and July 1, 2017

32 A 5 percent increase is approved and will be implemented based upon the Water

33 Authority's Cost of Service Rate Model.+] ]

1 Monthly Rehabilitation Charges for KAFB

2 Item KAFB

3 Per Month \$7,603.83

4 Effective July 1, 2013

5 Monthly Rehabilitation Charges for KAFB

6 Item KAFB

7 Per Month \$7,984.02

8 [+Effective July 1, 2015 and July 1, 2017

9 A 5 percent increase is approved and will be implemented based upon the Water  
10 Authority's Cost of Service Rate Model.+]

11 (C) Committed expenditures for the rehabilitation of water wells, pump  
12 stations, reservoirs, service lines, other water lines, gate valves and the committed  
13 expenditures for rehabilitation of sewer lines, odor control stations, pumping stations  
14 and treatment facilities from revenues in the Water and Sewer Rehabilitation Fund shall  
15 not be less than \$30 million dollars per year.

16 (D) The distributions from water and sewer rates to the Water and Sewer  
17 Rehabilitation Fund shall be reviewed every five years and updated as needed to adjust  
18 for construction inflation, new capital inventory, rate increases and other factors.

19 1-1-7. WATER AND SEWER SYSTEM AND UTILITY FINANCIAL POLICIES.

20 (A) The term of each and every instrument of debt shall be 12 years or less;  
21 except for sustainable water supply projects. This policy shall not apply to the possible  
22 acquisition of other operating water and wastewater utility systems or to mitigate short  
23 term rate impacts.

24 (B) At a minimum, an average of 50 percent of the cost of capital projects  
25 which constitute the normal capital program of the water and sewer system including  
26 the rehabilitation and replacement of existing facilities, and the construction of water  
27 wells, pump stations, reservoirs, service lines, other water lines, gate valves, revenue  
28 meters and meter boxes, sewer lines, odor control stations, and pumping stations, and  
29 treatment facilities shall be paid with cash rather than borrowed funds. The normal  
30 capital program excludes special capital projects such as the expansion of the  
31 wastewater treatment plants, arsenic mitigation, state and federal grant projects, state  
32 and federal mandated projects, and related to water resources management to achieve  
33 a sustainable supply of water. This policy shall not apply to the possible acquisition of

1 other operating water and wastewater utility systems or to mitigate short term rate  
2 impacts.

3 (C) At a minimum, 25 percent of the cost of capital projects not included in the  
4 normal capital program of the water and sewer system shall be paid with cash rather  
5 than borrowed funds. This policy shall not apply to the possible acquisition of other  
6 operating water and wastewater utility systems sustainable water supply or to mitigate  
7 short term rate impacts.

8 (D) Utility Expansion Charge (UEC) revenues or those of successor  
9 development fees in excess of \$6,000,000 per year shall be transferred to the Joint  
10 Water and Sewer Capital Funds. The transfer of these funds shall be made in the fiscal  
11 year following the most recent audited Comprehensive Annual Financial Report.

12 (E) Utility Expansion Charge rates shall be based on adopted policies of the  
13 Water Authority.

14 (F) Appropriations of cash transfers from water and sewer utility operating  
15 funds or debt service funds to a Joint Water and Sewer Capital Fund shall be made in  
16 the amounts appropriated during the year for which the appropriations have been made.

17 (G) The Water Authority has implemented an asset management program to  
18 manage its capital infrastructure focusing on minimizing the total cost of designing,  
19 acquiring, operating, maintaining, replacing, and disposing of capital assets over their  
20 life cycle while achieving desired service levels. [+It will allow the Water Authority to  
21 manage existing assets more effectively, make informed decisions on policy and  
22 budgetary matters, and plan for future needs. Based upon this program the Authority  
23 will begin to incrementally increase its Capital Implementation Program spending at  
24 approximately \$3 million a year until the Authority can reach and sustain a spending  
25 level of approximately \$76 million a year.+]

26 (H) A Rate Reserve Fund is established for reserving water and sewer  
27 revenues in a dedicated fund for the purpose of offsetting declines in rate revenue and  
28 to mitigate future rate increases. This Rate Reserve Fund will be funded at \$2 million  
29 per year. ~~[- This Rate Reserve Fund may be increased annually based on excess~~  
30 ~~funding over \$10 million in the Water Authority's Working Capital Balance. -]~~ By Fiscal  
31 Year 2015 the ~~[- target -]~~ [+goal+] for the Water Authority~~[- 's -]~~ [+is to achieve and  
32 maintain a+] Working Capital Balance [+that+] will be 1/12 of the Water Authority's

annual budgeted expenditures. Any expenditure from this Rate Reserve Fund will require an appropriation approved by the Water Authority Board.

# 1-1-8. UTILITY EXPANSION CHARGE (UEC) and WATER SUPPLY CHARGE (WSC).

(A) (1) A UEC charge 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). 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

### Finance for Water UEC

<del>[- Water Meter Size</del>	<del>Water Payment</del>	<del>Minimum Cash Down</del>	<del>Balance to Finance</del>
<del>5/8 X 3/4"</del>	<del>\$2,692</del>	<del>\$135</del>	<del>\$2,557</del>
<del>1"</del>	<del>4,487</del>	<del>224</del>	<del>4,263</del>
<del>1 1/2"</del>	<del>8,974</del>	<del>449</del>	<del>8,525</del>
<del>2"</del>	<del>14,359</del>	<del>718</del>	<del>13,641</del>
<del>3"</del>	<del>28,715</del>	<del>1,436</del>	<del>27,279</del>
<del>4"</del>	<del>44,868</del>	<del>2,243</del>	<del>42,625</del>
<del>6"</del>	<del>89,738</del>	<del>4,487</del>	<del>85,251</del>
<del>8" or More</del>	<del>143,581</del>	<del>7,179</del>	<del>136,917 -]</del>

<del>[+ Water Meter Size</del>	<del>Water Payment</del>	<del>Minimum Cash Down</del>	<del>Balance to Finance</del>
<del>5/8 X 3/4"</del>	<del>\$2,765</del>	<del>\$138</del>	<del>\$2,627</del>
<del>1"</del>	<del>4,608</del>	<del>230</del>	<del>4,378</del>
<del>1-1/2"</del>	<del>9,216</del>	<del>461</del>	<del>8,755</del>
<del>2"</del>	<del>14,747</del>	<del>737</del>	<del>14,010</del>
<del>3"</del>	<del>29,490</del>	<del>1,475</del>	<del>28,015</del>
<del>4"</del>	<del>46,079</del>	<del>2,304</del>	<del>43,775</del>
<del>6"</del>	<del>92,161</del>	<del>4,608</del>	<del>87,553</del>
<del>8" or More</del>	<del>147,458</del>	<del>7,373</del>	<del>140,085+]</del>

## (b) Financing for Sewer UEC

### Finance for Wastewater UEC

1	[- Water Meter Size Liquid Waste Flow Sewer		Minimum	Balance to
2			Payment Cash Down	Finance
3	<del>5/8 X 3/4"</del>	<del>0 10</del>	<del>\$2,019</del>	<del>\$101</del> <del>\$1,918</del>
4	<del>1"</del>	<del>11-19</del>	<del>3,366</del>	<del>168</del> <del>3,198</del>
5	<del>1-1/2"</del>	<del>20-63</del>	<del>6,729</del>	<del>336</del> <del>6,393</del>
6	<del>2"</del>	<del>64-82</del>	<del>10,768</del>	<del>538</del> <del>10,230</del>
7	<del>3"</del>	<del>83-343</del>	<del>21,588</del>	<del>1,079</del> <del>20,509</del>
8	<del>4"</del>	<del>344-599</del>	<del>33,649</del>	<del>1,682</del> <del>31,967</del>
9	<del>6"</del>	<del>600-803</del>	<del>67,300</del>	<del>3,365</del> <del>63,935</del>
10	<del>8" or More</del>	<del>804 &amp; over</del>	<del>107,681</del>	<del>5,384</del> <del>102,297 -]</del>
11	[+Water Meter Size Liquid Waste Flow Sewer		Minimum	Balance to
12			Payment Cash Down	Finance
13	<u>5/8 X 3/4"</u>	<u>0-10</u>	<u>\$2,074</u>	<u>\$104</u> <u>\$1,970</u>
14	<u>1"</u>	<u>11-19</u>	<u>3,457</u>	<u>173</u> <u>3,284</u>
15	<u>1-1/2"</u>	<u>20-63</u>	<u>6,911</u>	<u>346</u> <u>6,565</u>
16	<u>2"</u>	<u>64-82</u>	<u>11,059</u>	<u>553</u> <u>10,506</u>
17	<u>3"</u>	<u>83-343</u>	<u>22,171</u>	<u>1,109</u> <u>21,062</u>
18	<u>4"</u>	<u>344-599</u>	<u>34,556</u>	<u>1,728</u> <u>32,828</u>
19	<u>6"</u>	<u>600-803</u>	<u>69,117</u>	<u>3,456</u> <u>65,661</u>
20	<u>8" or More</u>	<u>804 &amp; over</u>	<u>110,588</u>	<u>5,529</u> <u>105,059+]</u>

(2) The UEC may be paid in full or paid over time with an initial minimum of 5 percent down payment and the balance shall be subject to a fixed monthly charge to include a carrying charge set at 7 percent per annum. On all connections, the balance shall be paid in full within 120 months.

(3) 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 for the water and sewer system.

(B) Reactivation of disconnected service. No refund of UEC will be made for a 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.



- 1 (C) Charges for multiple residential units:
- 2 (1) Requests for residential or commercial water and/or sewer service
- 3 which will provide for more than one residential unit will pay UEC according to one of
- 4 the following schedules:
- 5 (a) Apartment Complexes.
- 6 (i) With 30 dwelling units or less shall pay 50 percent of
- 7 the product of the total number of units times the water and/or sanitary sewer UEC for a
- 8 5/8" x 3/4" water meter.
- 9 (ii) With more than 30 dwelling units shall pay the amount
- 10 given by the equation below:
- 11 Equivalent Units =  $(0.45) \times (\text{No. of Units}) + 1.49$
- 12 Total UEC = (Equivalent Units) x (5/8" x 3/4" Meter UEC)
- 13 (b) Mobile Home Parks, regardless of size, shall pay 53 percent
- 14 of the product of the total number of dwelling units times the water and/or sanitary
- 15 sewer UEC for a 5/8" x 3/4" water meter.
- 16 (c) Condominiums, regardless of size, shall pay 53 percent of
- 17 the product of the total number of dwelling units times the water and/or sanitary sewer
- 18 UEC for a 5/8" x 3/4" water meter.
- 19 (d) Commercial service shall pay the larger of the following:
- 20 (i) The water and/or sewer UEC as shown in §1-1-8(A).
- 21 (ii) 50 percent of the product of the number of equivalent
- 22 residential units times the water and/or sewer UEC charge for a 5/8" x 3/4" meter.
- 23 (e) Low income housing developments shall pay the greater of
- 24 either:
- 25 (i) Eight percent of the product of the total number of
- 26 dwelling units times the water and sanitary sewer UEC set forth in § 1-1-8(A)1 of this
- 27 Ordinance for a 5/8" x 3/4" water meter; or,
- 28 (ii) The UEC set forth in § 1-1-18(A)1 of this Ordinance
- 29 for the meter size required to service the development. The size shall be determined by
- 30 the Water Authority based on the number of water fixture units described in AWWA M-
- 31 22.
- 32 (f) At the time the water and sewer UEC is due and payable for
- 33 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 §1-1-8(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 §1-1-8(C)(1)(e). 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 §1-1-2(A). The promissory note shall not bear any interest from the date of the promissory note with maturity date of the promissory note. The promissory note shall bear interest at the rate imposed by §1-1-8(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.

(2) 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.

(D) (1) A Water Supply Charge (WSC), 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 § 1-1-8(D)(1)[- (a) -]. The proceeds from this charge will be dedicated and restricted to the development of new water resources, rights or supplies to serve the beneficiary new customers outside of the established infrastructure consistent with the Water Authority's Regional Water Plan and Water Resources Management Strategy and other guiding principles adopted by the Water Authority. The amount of the WSC shall be adjusted annually by building cost or construction cost indices (BCI or CCI) as published by the Engineering News Record (ENR). The WSC fee does not apply to non-potable water service.

[- (a) -] Financing for Water Supply Charge - WSC

[- Water Meter Size Water Payment	Minimum Cash Down	Balance to Finance
5/8 X 3/4"	\$1,390	\$1,320
1"	2,325	2,209

1	1 1/2"	4,633	232	4,401
2	2"	7,414	371	7,043
3	3"	14,827	741	14,086
4	4"	23,166	1,158	22,008
5	6"	46,434	2,322	44,112
6	8" or More	74,133	3,707	70,426 -]
7	[+Water Meter Size Water Payment Minimum Cash Down Balance to Finance			
8	5/8 X 3/4"	\$1,428	\$71	\$1,357
9	1"	2,388	119	2,269
10	1-1/2"	4,758	238	4,520
11	2"	7,614	381	7,233
12	3"	15,227	761	14,466
13	4"	23,791	1,190	22,601
14	6"	47,688	2,384	45,304
15	8" or More	76,135	3,807	72,328+]

(2) The WSC may be paid in full or paid over time with an initial minimum of 5 percent down payment and the balance shall be subject to a fixed monthly charge to include a carrying charge set at 7 percent 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 WSC 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 WSC 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 WSC is not reimbursable under the line extension policy. All revenues generated from the WSC will be maintained in it's own activity and to be used only as specified in § 1-1-8(D)(1).

#### 1-1-9. SPECIFIC SERVICES.

Fees for specific services shall be as follows:

(A) Metered Service Lines.

- (1) 5/8 X 3/4" meter set only, \$295
- (2) 1" meter set only, \$ 355
- (3) 1 1/2" meter set only, \$555

- 1 (4) 2" meter set only, \$635
- 2 (5) 3" metered service line installation.
- 3 (a) 3" meter set only with compound meter without vault, \$2,185
- 4 (6) 4" metered service line installation.
- 5 (a) 4" meter set only with compound meter without vault, \$3,125
- 6 (b) 4" meter set only with fire assembly meter without vault
- 7 \$7,210
- 8 (7) 6" metered service line installation.
- 9 (a) 6" meter set only with compound meter without vault, \$5,140
- 10 (b) 6" meter set only with fire assembly meter without vault
- 11 \$7,520
- 12 (8) 8" metered service line installation.
- 13 (a) 8" meter set only with fire assembly without vault \$13,040
- 14 (9) 10" and larger: Contact the Utility for price quote
- 15 (B) Meter Size Reduction Installation.
- 16 (1) 5/8 X 3/4" through 1-1/2", \$85
- 17 (2) 2", \$170
- 18 (3) 3" and larger, contact the Utility for price quote
- 19 (C) Nonpayment Delinquency Fee.
- 20 (1) 5/8 X 3/4" and 1", \$45
- 21 (2) 1-1/2" through 10", \$60
- 22 (D) Combined Fire-Domestic Meters.
- 23 (1) Requests for this type of metered service, which provide both fire
- 24 protection and domestic-irrigation service, may be made at the New Services Section of
- 25 Utility Development. Upon the satisfactory determination of peak flow water delivery
- 26 requirements, as certified by an engineer registered in the State [+ of New Mexico +], in
- 27 accordance with the City [- ~~of Albuquerque's~~ -] and the County [- ~~of Bernalillo's~~ -] fire
- 28 codes and the AWWA M22 an equivalent meter size will be determined for the service.
- 29 Fixed monthly charges for private fire protection shall also be applied commensurate
- 30 with the degree of fire protection capacity being provided.
- 31 (2) Fees for installation (set only) is in §1-1-9(A).
- 32 (E) Cross Connection Fees

1 (1) Containment Inspection Fees. An inspection fee of \$50 shall be  
2 assessed to all customers required to have premise inspections to cover expenses  
3 incurred by the Water Authority during the initial inspection of the premise. The  
4 inspection fee shall be assessed only to those customers whose premise are not in  
5 compliance with this Ordinance at the time of inspection.

6 (2) Backflow Prevention Assembly Administrative Charge. All  
7 customers required to provide cross-connection control by containment and/or isolation  
8 shall be assessed an annual administrative fee of \$30 (fee is not to be prorated in case  
9 of change in ownership) for each backflow prevention assembly located at the premise.  
10 This fee incorporates expenses incurred by the Water Authority to maintain records, to  
11 process required testing notices and to enter data as required.

12 1-1-10. FRANCHISE FEE.

13 [- (A) -] There shall be a charge of [+ four +] [- 4 -] percent on the total sales  
14 of water and sewer services added to customer billings to compensate the Water  
15 Authority for the franchise fee charged by the City, County and the Village of Los  
16 Ranchos and a charge of [+ two +] [- 2 -] percent on the total sales of water and sewer  
17 services added to customer billings to compensate the Water Authority for the franchise  
18 fee charged by the City of Rio Rancho for the granted authorization to use rights-of-way  
19 and public places to construct, operate, and maintain water and wastewater systems

20 1-1-11. PAYMENT.

21 All charges shall be payable at the office of the City Treasurer, City Hall,  
22 Albuquerque, New Mexico, or other locations as designated by the Water Authority and  
23 will become delinquent 15 days following the "due by" date on the Customer's utility  
24 statement.

25 1-1-12. PENALTY FOR DELINQUENT ACCOUNTS.

26 A penalty of 1.5 percent per month may be imposed on all delinquent accounts.

27 1-1-13. RESPONSIBILITY OF PAYMENT, LIENS, AND DEPOSIT.

28 (A) The assessed fees and service charges provided for herein are the  
29 personal responsibility of the owner of record, as reported by the Bernalillo County  
30 Assessor for the real property served.

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

(C) Reasonable deposits may be required of any Customer including tenants. Deposits not to exceed [+ six +] [- 6 -] months in duration. Such deposits and accrued interest shall be applied to the utility account immediately upon becoming delinquent or the expiration of [+ six +] [- 6 -] 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.

1-1-14. 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[- ~~or~~ -][+u+]<sup>n</sup>less a lien, or record has been filed prior to the real property changing ownership or responsibility[- ~~or~~ -] with the Bernalillo County Clerk indicating that outstanding Utility charges remain[+u+]<sup>n</sup> [- and the lien has been filed to protect the Water Authority asset. -]

(B) In order to discontinue service, a written notice shall be sent to the Customer [-giving him-] at least ten calendar days notice [+before+]<sup>n</sup> [- of the -] termination of service and notice of [- his -][+the+]<sup>n</sup> 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.+]<sup>n</sup>

(D) At such hearing, the Customer may present evidence as the Water Authority and the Executive Director 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 until and in accordance with that decision.

(F) A nonrefundable hearing fee of \$50.00 shall accompany each appeal filed pursuant to this §1-1-1[+ 4 +] [- 3 -].

(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 1-1-15. EFFECTIVE DATE AND PUBLICATION

2 The effective date of this Ordinance will be July 1, [- 2014 -] [+2012+] unless  
3 otherwise stated.

4 1-1-98. PROHIBITIONS.

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

10 (B) No person shall discharge or cause to be discharged any liquid waste to  
11 the liquid waste collection or treatment system operated by the Water Authority without  
12 the consent of the Water Authority and compliance with the Water Authority's Sewer  
13 Use and Waste Water Control Ordinance. Approved connections or permits shall  
14 constitute such consent.

15 (C) No person shall willfully break, injure, or tamper with any property of the  
16 Water Authority, including but not limited to: wells, pump stations, reservoirs, sewage  
17 treatment plants, lift stations, distribution lines, fire hydrant service lines, meters, gate  
18 valves, manhole covers or grates.

19 (D) Violation of any of the above described Prohibitions constitutes a violation  
20 of the conditions of Water Authority service and shall be subject to a connection service  
21 charge of \$400.00 per occurrence and charges for one year of usage based upon prior  
22 usage or the customer class average or termination of service.

23 Section 2. SEVERABILITY CLAUSE. If any Section, paragraph, sentence,  
24 clause, work or phrase of this Ordinance is for any reason held to be invalid or  
25 unenforceable by any court of competent jurisdiction, such decision shall not affect the  
26 validity of the remaining provisions of this Ordinance. The Water Authority hereby  
27 declares that it would have passed this Ordinance and each Section, paragraph,  
28 sentence, clause, word or phrase thereof irrespective of any provision being declared  
29 unconstitutional or otherwise invalid.

[+Bracketed/Underscored Material+] - New  
[-Bracketed/~~Strikethrough~~ Material-] - Deletion

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17