

**CITY OF AZTEC**  
**ORDINANCE 2026-569**  
**An Ordinance Amending Chapter 16 Fee Schedule**

**WHEREAS,** The City Commission establishes fees for various operations by the City; and

**WHEREAS,** The City of Aztec Utilities has been extensively reviewed and based on a utility study conducted in 2023, has undergone changes to the utility fees; and

**WHEREAS,** the proposed ordinance will become effective in concurrence with the updated utility rates; and

**WHEREAS,** the Electric Utility rates were frozen to 2024 rates but water, wastewater, and storm water utilities still list rate increases for 2026 and 2027; and

**WHEREAS,** the City Commission desires to lower those water, wastewater, and storm water utility rates to the 2024 rates.

**NOW, THEREFORE, BE IT RESOLVED** that the Aztec City Commission has amended Chapter 16 as attached.

**PASSED, APPROVED, SIGNED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2026, by the Aztec City Commission, City of Aztec, New Mexico.

\_\_\_\_\_  
Mayor Michael A. Padilla Sr.

ATTEST:

\_\_\_\_\_  
Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

\_\_\_\_\_  
City Attorney

Advertised Date of Final Adoption: \_\_\_\_\_

Effective Date of Ordinance: \_\_\_\_\_

**Chapter 16  
FEE SCHEDULE**

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**ARTICLE IV. UTILITY FEES**

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**Sec. 16-100. Review.**

The Joint Utility System rate structure shall be reviewed annually and adjusted accordingly. The City Commission shall take action deemed necessary to ensure the efficient operations of the Joint Utility System. Any adjustments shall be coordinated with each year's budget and such adjustments will be approved through ordinance.

(Ord. 2010-385, eff. 2010-Jan-01)

**DIVISION 1. ADMINISTRATIVE FEES**

**Sec. 16-101. Deposits.**

- |   |                            |
|---|----------------------------|
| 1. <u>Residential.</u>                    |                            |
| Electric                                  | \$ 125. <sup>00</sup>      |
| Water                                     | \$ 125. <sup>00</sup>      |
| 2. <u>Out of City Limits.</u>             |                            |
| Electric                                  | \$ 187. <sup>50</sup>      |
| Water                                     | \$ 187. <sup>50</sup>      |
| 3. <u>Commercial.</u>                     |                            |
| In City                                   |                            |
| Out of City Limits                        | \$ 300. <sup>00</sup>      |
| 4. <u>Bulk Water Accounts.</u>            |                            |
| Residential                               | \$ 125. <sup>00</sup>      |
| Commercial                                | \$ 600. <sup>00</sup>      |
| Fire Hydrant Meter                        | \$<br>1,200. <sup>00</sup> |
| 5. <u>Accounts not in Good Standing.</u>  |                            |
| Amount equal to two month average billing | Average                    |

(Ord. 2023-531, eff. 2023-Jul-07; Ord. 2009-373, eff. 2009-Jun-17; Code 2007, 16-101)

**Sec. 16-102. Establishment of Services.**

- |  |                       |
|--|-----------------------|
| 1. <u>Account Setup or Transfer Fee.</u>   |                       |
| Customer account setup, read on and read off, or turn on and turn off  | \$ 40. <sup>00</sup>  |
| 2. <u>Existing Landlord/Property Manager Accounts.</u>   |                       |
| Turn-on, turn-off (per location)   | \$ 10. <sup>00</sup>  |
| 3. <u>After Hours Call.</u>  |                       |
| After Hours call shall be the hours of 5:00 p.m. to 8:00 a.m, or weekends, or City observed holidays. (per call) | \$ 100. <sup>00</sup> |
| 4. <u>Disconnect Notice.</u>   |                       |
| Notice sent to customer notify customer of delinquent account  | \$ 10. <sup>00</sup>  |

5. Non-Pay Disconnect - Re-establishment of Service.  
Once service has been disconnected for non-payment, fee to connect utilities \$ 30.<sup>00</sup>  
(Ord. 2023-531, eff. 2023-Jul-07; Ord. 2018-478, eff. 2018-Jul-18; Code 2007, 16-102)

**Sec. 16-103. Other Account Charges.**

1. Returned Check Fee. \$ 25.<sup>00</sup>
2. Collection Accounts. \$ 30.<sup>00</sup>
3. Electric Meter Test Fee. \$ 100.<sup>00</sup>
4. Water Meter Test Fee. \$ 100.<sup>00</sup>
5. Damaged Water ERT. \$ 150.<sup>00</sup>  
(Encoded, Receiver, Transmitter)
6. Late Payment Assessment 5%  
(Ord. 2023-531, eff. 2023-Jul-07; Ord. 2018-478, eff. 2018-Jul-18; Code 2007, 27-603)

**Secs. 16-104 to 16-150. Reserved.**

## DIVISION 2. CONNECTION FEES

### Sec. 16-151. Electric Connection Fees.

#### 1. Residential Electric Service.

- |  |                       |
|--|-----------------------|
| (1) New single phase service 200 amps or less:<br>overhead or underground when customer trenching and no transformer is<br>needed.               | \$ 350. <sup>00</sup> |
| (2) New single phase service 200 amps or less:<br>overhead or underground when customer trenching needing an overhead<br>transformer.            | Estimate              |
| (3) New single phase service 200 amps or less:<br>overhead or underground when customer trenching needing a pole and an<br>overhead transformer. | Estimate              |
| (4) New Residential Meter Installation for new service:<br>200 amp service or less   | \$ 156. <sup>00</sup> |
| (5) New single phase service over 200 amps:<br>will require a line extension and pad mount transformer   | Estimate              |
| (6) New single phase service requiring a pad mount transformer   | Estimate              |

#### 2. Commercial Electric Service.

- |   |                       |
|---|-----------------------|
| (1) New single phase service 200 amps or less, overhead or underground<br>when customer provides trenching and no transformer needed.                     | \$ 450. <sup>00</sup> |
| (2) New single phase service 200 amps or less, overhead or underground<br>when customer provides trenching needing an overhead transformer.               | Estimate              |
| (3) New single phase service 200 amps or less, overhead or underground<br>when customer provides trenching needing a pole and an overhead<br>transformer. | Estimate              |
| (4) New Commercial Meter installation for new service, 200 amps or less<br>(single phase meter)   | \$ 200. <sup>00</sup> |
| (5) New Commercial Meter installation for new service, 200 amps or less<br>(three phase meter)  | \$ 450. <sup>00</sup> |
| (6) New single phase service requiring a pad mount transformer  | Estimate              |
| (7) New single phase service over 201 amps or more, or new three phase<br>service will require a line extension estimate and a pad mount<br>transformer.  | Estimate              |

#### 3. Temporary Electric Service Connects.

Fees for residential or commercial temporary service connects.

- |  |                       |
|--|-----------------------|
| (1) Single phase, no transformer needed, 200 amps or less. | \$ 350. <sup>00</sup> |
| (2) Single phase needing a transformer, 200 amps or less.  | Estimate              |

- |  |                       |
|--|-----------------------|
| (3) Three phase, no transformer needed, 200 amps or less.                    | \$ 450. <sup>00</sup> |
| (4) Three phase needing a transformer, 200 amps or less.                     | Estimate              |
| (5) All temporary services over 201 amps shall be considered line extensions | Estimate              |
| (6) All temporary services requiring a pad mount transformer                 | Estimate              |
- (Ord. 2023-531, eff. 2023-Jul-07; Code 2007, 16-151)

**Secs. 16-152. Electric Charging Stations.**

The city owns and operates an Electric Charging Station located at 110 N. Ash Avenue. The rate is as follows:

- |             |         |
|-------------|---------|
| 1. Per hour | \$ 1.25 |
|-------------|---------|
- (Ord. 2024-544, eff. 2024-Mar-20)

**Secs. 16-153 to 16-160. Reserved.**

**Sec. 16-161. Wastewater Connection Fees.**

All sewer services (laterals) shall be installed by a NM licensed contractor or plumber in accordance with City Standards. The property owner is responsible for all installation costs.

- |                                   |                         |
|-----------------------------------|-------------------------|
| 1. <u>Waste Water Inspection.</u> | \$ 300. <sup>00</sup>   |
| 2. 4- inch connection cost        | \$ 500. <sup>00</sup>   |
| 3. 6-inch connection cost         | \$ 700. <sup>00</sup>   |
| 4. 8-inch connection cost         | \$ 1,000. <sup>00</sup> |
- (Ord. 2023-531, eff. 2023-Jul-07; Code 2007, 16-161)

**Secs. 16-162 to 16-170. Reserved.**

**Sec. 16-171. Water Connection Fees.**

All sewer services (laterals) shall be installed by a NM licensed contractor or plumber in accordance with City Standards. The property owner is responsible for all installation costs.

- |  |                         |
|--|-------------------------|
| 1. <u>5/8" Water Connection.</u>                           |                         |
| (1) Water Rights In City Limits with Sewer Connection      | \$ 600. <sup>00</sup>   |
| (2) Water Rights In City Limits with no Sewer Connection   | \$ 900. <sup>00</sup>   |
| (3) Water Rights Out of City Limits                        | \$ 900. <sup>00</sup>   |
| (4) Water Meter with ERT (encoded, receiver & transmitter) | Current Pricing         |
| (5) Water Inspection                                       | \$ 300. <sup>00</sup>   |
| 2. <u>1" Water Connection.</u>                             |                         |
| (1) Water Rights In City Limits with Sewer Connection      | \$ 1,500. <sup>00</sup> |
| (2) Water Rights In City Limits with no Sewer Connection   | \$ 2,250. <sup>00</sup> |
| (3) Water Rights Out of City Limits                        | \$ 2,250. <sup>00</sup> |

(4) Water Meter with ERT (encoded, receiver & transmitter)	Current Pricing
(5) Water Inspection	\$ 300. <sup>00</sup>
3. <u>1-1/2" Water Connection.</u>	
(1) Water Rights In City Limits with Sewer Connection	\$ 3,000. <sup>00</sup>
(2) Water Rights In City Limits with no Sewer Connection	\$ 4,500. <sup>00</sup>
(3) Water Rights Out of City Limits	\$ 4,500. <sup>00</sup>
(4) Water Meter with ERT (encoded, receiver & transmitter)	Current Pricing
(5) Water Inspection	\$ 300. <sup>00</sup>
4. <u>2" Water Connection.</u>	
(1) Water Rights In City Limits with Sewer Connection	\$ 4,800. <sup>00</sup>
(2) Water Rights In City Limits with no Sewer Connection	\$ 7,200. <sup>00</sup>
(3) Water Rights Out of City Limits	\$ 7,200. <sup>00</sup>
(4) Water Meter with ERT (encoded, receiver & transmitter)	Current Pricing
(5) Water Inspection	\$ 300. <sup>00</sup>
5. <u>3" Water Connection.</u>	
(1) Water Rights In City Limits with Sewer Connection	\$ 9,600. <sup>00</sup>
(2) Water Rights In City Limits with no Sewer Connection	\$ 14,400. <sup>00</sup>
(3) Water Rights Out of City Limits	\$ 14,400. <sup>00</sup>
(4) Water Meter with ERT (encoded, receiver & transmitter)	Current Pricing
(5) Water Inspection	\$ 300. <sup>00</sup>
6. <u>4" Water Connection.</u>	
(1) Water Rights In City Limits with Sewer Connection	\$ 15,000. <sup>00</sup>
(2) Water Rights In City Limits with no Sewer Connection	\$ 22,500. <sup>00</sup>
(3) Water Rights Out of City Limits	\$ 22,500. <sup>00</sup>
(4) Water Meter with ERT (encoded, receiver & transmitter)	Current Pricing
(5) Water Inspection	\$ 300. <sup>00</sup>
7. <u>6" Water Connection.</u>	
(1) Water Rights In City Limits with Sewer Connection	\$ 15,000. <sup>00</sup>
(2) Water Rights In City Limits with no Sewer Connection	\$ 22,500. <sup>00</sup>
(3) Water Rights Out of City Limits	\$ 22,500. <sup>00</sup>
(4) Water Meter with ERT (encoded, receiver & transmitter)	Current Pricing
(5) Water Inspection	\$ 300. <sup>00</sup>
8. <u>8" Water Connection.</u>	
(1) Water Rights In City Limits with Sewer Connection	\$ 15,000. <sup>00</sup>
(2) Water Rights In City Limits with no Sewer Connection	\$ 22,500. <sup>00</sup>
(3) Water Rights Out of City Limits	\$ 22,500. <sup>00</sup>
(4) Water Meter with ERT (encoded, receiver & transmitter)	Current Pricing

(5) Water Inspection  
(Ord. 2023-531, eff. 2023-Jul-07; Code 2007, 16-171)

\$ 300.<sup>00</sup>

**Secs. 16-172 to 16-180. Reserved.**

**DIVISION 3. UTILITY RATE FEES**

**Sec. 16-181. Electric Rates.**

1. Class I: Residential and Multi-unit Residential (Rate 10).

2025

Power Supply All kWh (per kWh)*	\$ 0.055
Basic Charge per Month for 1 <sup>st</sup> 100 kWh	\$ 41.07
Energy Charge >100 kWh (per kWh)	\$ 0.0411

\*Adjusted Monthly via PCA.

2. Class II: Residential and 65 Years or Older (Rate 15).

For individuals 65 years and older, primary resident, and individually metered.

2025

Power Supply All kWh (per kWh)*	\$ 0.055
Basic Charge per Month for 1 <sup>st</sup> 100 kWh	\$ 36.96
Energy Charge >100 kWh (per kWh)	\$ 0.0370

\*Adjusted Monthly via PCA.

3. Class III: Commercial.

2025

Power Supply (per kWh)*	\$ 0.055
<u>Small Commercial (&lt;50kW)</u>	
Basic Charge (per Month)	\$ 61.04
Energy Charge (per kWh)	\$ 0.0671
<u>Large Commercial (&gt;50kW)</u>	
Basic Charge (per Month)	\$ 135.72
Energy Charge (per kWh)	\$ 0.0760

\*Adjusted Monthly via PCA.

4. Class IV: Solar Rates.

Residential Limited to 200 amp or less (Rate 20)  
(Over 200 is considered commercial)

	<u>2025</u>
Power Supply (per kWh) <sup>(1)</sup>	\$ 0.055
Customer Charge (per month)	
0-100 kWh	\$ 46.11
>100 kWh	\$ 0.0411
Purchase Excess Customer Generation (per kWh) <sup>(2)</sup>	\$ 0.0425

(1) Adjusted Monthly via PCA. if above \$ 0.055

(2) Rate at which customer generation will be purchased.

Commercial Limited to 50kW (Rate 50)

	<u>2025</u>
Power Supply (per kWh <sup>(1)</sup> ,All kWh)	\$ 0.055
Customer Charge (per month)	\$ 72.40
Usage Charge (per kWh)	\$ 0.0671
Purchase Excess Customer Generation (All kWh) <sup>(2)</sup>	\$ 0.0425

(1) Adjusted Monthly via PCA. if above or below \$ 0.055

(2) Rate at which customer generation will be purchased.

Commercial 50 to 150 kW (Rate 51)

	<u>2025</u>
Power Supply (per kWh <sup>(1)</sup> ,All kWh)	\$ 0.055
Customer Charge (per month)	\$ 683.74
Usage Charge (per kWh)	\$ 0.0760
Purchase Excess Customer Generation (All kWh) <sup>(2)</sup>	\$ 0.0425

(1) Adjusted Monthly via PCA. if above or below \$ 0.055

(2) Rate at which customer generation will be purchased.

Customer Generation Rate – >150kW

*Customer generation must be directly connected to City distribution system.  
Contact City to develop and negotiate agreement contract.*

5. Class V: Area and Street Lighting.

2025

<u>Type 1</u>	\$ 8.91
100 watt HPS	
150 watt HPS	
LED < 150 watt equivalent	
<u>Type 2</u>	\$ 16.63
250 watt HPS	
LED < 250 watt equivalent	
<u>Type 3</u>	\$ 29.70
400 watt HPS	
LED < 400 watt equivalent	
<u>New Wood Pole</u>	
35 ' Pole	\$ 11.88
<u>New Metal Pole</u>	
30' with foundation	\$ 17.82

CITY OWNED STREET LIGHTS

175 watt mercury vapor	\$ 6.38
100 watt HPS	\$ 6.38
150 watt HPS	\$ 8.93
250 watt HPS	\$ 11.48
400 watt HPS	\$ 14.03
150 watt HPS, new wood pole	\$ 22.96
City Metered (\$ /kWh)	\$ 0.129

(Ord. 2025-562, eff. 2025-Oct-22; Ord. 2023-531, eff. 2023-Jul-07; Ord. 2020-510, eff. 2021-Jan-01; Ord. 2017-462, eff. 2017-Oct-01; Ord. 2010-383, eff. 2010-July-01; Ord. 2008-354, eff. 15 July 2008; Code 2007, 16-181)

6. Power Cost Adjustment (PCA).

Rate may fluctuate monthly based on cost of purchased power to City. The base cost is established at .055/kwh. Purchase power costs above or below this amount may be assessed to each electric customer.

(Ord. 2025-562, eff. 2025-Oct-22; Ord. 2020-510, eff. 2021-Jan-01; Ord. 2017-462, eff. 2017-Oct-01; Ord. 2010-383, eff. 2010-July-01; Ord. 2008-354, eff. 2008-July-15; Code 2007, 16-181)

**Secs. 16-182 to 16-190. Reserved.**

**Sec. 16-191. Wastewater Rates.**

1. Class I: Residential and Multi-unit Residential.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
(1) Residential and Multi Unit Base/System Charge (Monthly minimum charge)	<del>\$ 18.83</del>	\$ 19.69	<del>\$ 20.60</del>	<del>\$ 21.55</del>	<del>\$ 22.54</del>
(2) Wastewater Use Charge Cost (per 1,000 Gallons)	<del>\$ 4.18</del>	\$ 4.38	<del>\$ 4.58</del>	<del>\$ 4.79</del>	<del>\$ 5.01</del>
(3) Wastewater <b>Plant Improvements Fee</b> (per month)	<del>\$ 16.00</del>	\$ 18.00	<del>\$ 20.00</del>	<del>\$ 22.00</del>	<del>\$ 24.00</del>
(4) Customers without base winter usage (per month)	<del>\$ 35.55</del>	\$ 37.21	<del>\$ 38.92</del>	<del>\$ 40.71</del>	<del>\$ 42.58</del>

2. Class II: Residential and 65 Years or Older.

For individuals 65 years and older and primary resident.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
(1) Residential and Multi Unit Base/System Charge (Monthly minimum charge)	<del>\$ 16.95</del>	\$ 17.72	<del>\$ 18.54</del>	<del>\$ 19.40</del>	<del>\$ 20.29</del>
(2) Wastewater Use Charge Cost (per 1,000 Gallons)	<del>\$ 3.77</del>	\$ 3.94	<del>\$ 4.12</del>	<del>\$ 4.31</del>	<del>\$ 4.51</del>
(3) Wastewater <b>Plant Improvements Fee</b> (per month)	<del>\$ 14.40</del>	\$ 16.20	<del>\$ 18.00</del>	<del>\$ 19.80</del>	<del>\$ 21.60</del>
(4) Customers without base winter usage (per month)	<del>\$ 32.03</del>	\$ 33.48	<del>\$ 35.02</del>	<del>\$ 36.64</del>	<del>\$ 38.33</del>

3. Class III: Commercial.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
(1) Commercial Base/System Charge (Monthly minimum charge)	<del>\$ 20.71</del>	\$ 22.57	<del>\$ 24.61</del>	<del>\$ 26.82</del>	<del>\$ 29.23</del>
(2) Wastewater Use Charge Cost (per 1,000 Gallons)	<del>\$ 4.36</del>	\$ 4.75	<del>\$ 5.18</del>	<del>\$ 5.65</del>	<del>\$ 6.15</del>
(3) Wastewater <b>Plant Improvements Fee</b> (per month)	<del>\$ 16.00</del>	\$ 18.00	<del>\$ 20.00</del>	<del>\$ 22.00</del>	<del>\$ 24.00</del>

4. Class IV: Industrial.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
(1) Industrial Base/System Charge (Monthly minimum charge)	<del>\$ 23.98</del>	\$ 26.14	<del>\$ 28.49</del>	<del>\$ 31.05</del>	<del>\$ 33.85</del>
(2) Wastewater Use Charge Cost (per 1,000 Gallons)	<del>\$ 4.36</del>	\$ 4.75	<del>\$ 5.18</del>	<del>\$ 5.65</del>	<del>\$ 6.15</del>
(3) Wastewater <b>Plant Improvements Fee</b> (per month)	<del>\$ 16.00</del>	\$ 18.00	<del>\$ 20.00</del>	<del>\$ 22.00</del>	<del>\$ 24.00</del>

5. Class V: Institutional.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
(1) Institutional Base/System Charge (Monthly minimum charge)	<del>\$ 19.62</del>	\$ 21.39	<del>\$ 23.31</del>	<del>\$ 25.41</del>	<del>\$ 27.70</del>
(2) Wastewater Use Charge Cost (per 1,000 Gallons)	<del>\$ 4.36</del>	\$ 4.75	<del>\$ 5.18</del>	<del>\$ 5.65</del>	<del>\$ 6.15</del>
(3) Wastewater <b>Plant Improvements Fee</b> (per month)	<del>\$ 16.00</del>	\$ 18.00	<del>\$ 20.00</del>	<del>\$ 22.00</del>	<del>\$ 24.00</del>

6. Class VI: Customers Outside Municipal Incorporated Limits.

Customers living outside the Municipal Incorporated limits shall be billed at 150% of the applicable rate.

7. Class VIII: City Departments.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
(1) City Departments (Monthly minimum charge)	<del>\$ 19.62</del>	\$ 21.39	<del>\$ 23.31</del>	<del>\$ 25.41</del>	<del>\$ 27.70</del>
(2) Wastewater Use Charge Cost (per 1,000 Gallons)	<del>\$ 4.36</del>	\$ 4.75	<del>\$ 5.18</del>	<del>\$ 5.65</del>	<del>\$ 6.15</del>
(3) Wastewater <b>Plant Improvements Fee</b> (per month)	<del>\$ 16.00</del>	\$ 18.00	<del>\$ 20.00</del>	<del>\$ 22.00</del>	<del>\$ 24.00</del>

(Ord. 2023-531, eff. 2023-Jul-07; Ord. 2017-464, eff. 2017-Oct-01; Ord. 2013-427, eff. 2013-July-04; Ord. 2010-384, eff. 2010-July-01; Code 2007)

**Secs. 16-192 to 16-200. Reserved.**

**Sec. 16-201. Water Rates.**

1. Class I: Residential.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 17.20</del>	\$ 17.20	<del>\$ 17.20</del>	<del>\$ 17.20</del>	<del>\$ 17.20</del>
Water Capital Reserve (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>
Per 1,000 gallons					
0 –5,000 gallons	<del>\$ 3.47</del>	\$ 3.99	<del>\$ 4.47</del>	<del>\$ 5.32</del>	<del>\$ 6.17</del>
5,001– 10,000 gallons	<del>\$ 4.04</del>	\$ 4.65	<del>\$ 5.21</del>	<del>\$ 6.20</del>	<del>\$ 7.19</del>
10,001 – 15,000 gallons	<del>\$ 4.62</del>	\$ 5.31	<del>\$ 5.95</del>	<del>\$ 7.08</del>	<del>\$ 8.21</del>
15,001 – 25,000 gallons	<del>\$ 5.20</del>	\$ 5.98	<del>\$ 6.70</del>	<del>\$ 7.97</del>	<del>\$ 9.25</del>
25,001 – 50,000 gallons	<del>\$ 5.78</del>	\$ 6.65	<del>\$ 7.45</del>	<del>\$ 8.87</del>	<del>\$ 10.29</del>
50,001 gallons and over	<del>\$ 6.35</del>	\$ 7.30	<del>\$ 8.18</del>	<del>\$ 9.73</del>	<del>\$ 11.29</del>

2. Class II: Residential Customers 65 years or Older.

For individuals 65 years and older, primary resident, and individually metered.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 15.48</del>	\$ 15.48	<del>\$ 15.48</del>	<del>\$ 15.48</del>	<del>\$ 15.48</del>
Water Capital Reserve (per month)	<del>\$ 7.34</del>	\$ 11.84	<del>\$ 16.34</del>	<del>\$ 20.84</del>	<del>\$ 25.34</del>
Per 1,000 gallons					
0 –5,000 gallons	<del>\$ 3.12</del>	\$ 3.59	<del>\$ 4.02</del>	<del>\$ 4.79</del>	<del>\$ 5.55</del>
5,001– 10,000 gallons	<del>\$ 3.64</del>	\$ 4.19	<del>\$ 4.69</del>	<del>\$ 5.58</del>	<del>\$ 6.47</del>
10,001 – 15,000 gallons	<del>\$ 4.16</del>	\$ 4.78	<del>\$ 5.36</del>	<del>\$ 6.37</del>	<del>\$ 7.39</del>
15,001 – 25,000 gallons	<del>\$ 4.68</del>	\$ 5.38	<del>\$ 6.03</del>	<del>\$ 7.17</del>	<del>\$ 8.33</del>
25,001 – 50,000 gallons	<del>\$ 5.20</del>	\$ 5.99	<del>\$ 6.71</del>	<del>\$ 7.98</del>	<del>\$ 9.26</del>
50,001 gallons and over	<del>\$ 5.72</del>	\$ 6.57	<del>\$ 7.36</del>	<del>\$ 8.76</del>	<del>\$ 10.16</del>

3. Class III: Multi-Residential.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 15.60</del>	\$ 15.60	<del>\$ 15.60</del>	<del>\$ 15.60</del>	<del>\$ 15.60</del>
Water Capital Reserve (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>

First 4,000 gallons/unit	<del>\$ 3.47</del>	\$ 3.99	<del>\$ 4.47</del>	<del>\$ 5.32</del>	<del>\$ 6.17</del>
Excess of 4,000 gallons/unit	<del>\$ 4.62</del>	\$ 5.31	<del>\$ 5.95</del>	<del>\$ 7.08</del>	<del>\$ 8.21</del>

4. Class IV: Commercial.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 18.90</del>	\$ 18.90	<del>\$ 18.90</del>	<del>\$ 18.90</del>	<del>\$ 18.90</del>
Water Capital Reserve (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>
Per 1,000 gallons					
0–10,000 gallons	<del>\$ 4.04</del>	\$ 4.65	<del>\$ 5.21</del>	<del>\$ 6.20</del>	<del>\$ 7.19</del>
10,001 –15,000 gallons	<del>\$ 4.62</del>	\$ 5.31	<del>\$ 5.95</del>	<del>\$ 7.08</del>	<del>\$ 8.21</del>
15,001 –30,000 gallons	<del>\$ 5.20</del>	\$ 5.98	<del>\$ 6.70</del>	<del>\$ 7.97</del>	<del>\$ 9.25</del>
30,001 –100,000 gallons	<del>\$ 5.78</del>	\$ 6.65	<del>\$ 7.45</del>	<del>\$ 8.87</del>	<del>\$ 10.29</del>
100,001 gallons and over	<del>\$ 6.35</del>	\$ 7.30	<del>\$ 8.18</del>	<del>\$ 9.73</del>	<del>\$ 11.29</del>

5. Class V: Outside Watering.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 22.80</del>	\$ 22.80	<del>\$ 22.80</del>	<del>\$ 22.80</del>	<del>\$ 22.80</del>
Water Improvement Fee (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>
All Use per 1,000 gal	<del>\$ 4.62</del>	\$ 5.31	<del>\$ 5.95</del>	<del>\$ 7.08</del>	<del>\$ 8.21</del>

6. Class VI: Industrial.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 23.90</del>	\$ 23.90	<del>\$ 23.90</del>	<del>\$ 23.90</del>	<del>\$ 23.90</del>
Water Improvement Fee (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>
All Use per 1,000 gal	<del>\$ 4.82</del>	\$ 5.78	<del>\$ 6.94</del>	<del>\$ 8.26</del>	<del>\$ 9.91</del>

7. Class VII: Institutional.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 16.20</del>	\$ 16.20	<del>\$ 16.20</del>	<del>\$ 16.20</del>	<del>\$ 16.20</del>
Water Improvement Fee (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>
All Use per 1,000 gal	<del>\$ 4.22</del>	\$ 5.06	<del>\$ 6.07</del>	<del>\$ 7.22</del>	<del>\$ 8.66</del>

8. Class VIII: Residential Special Wholesale Consumption.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 22.80</del>	\$ 22.80	<del>\$ 22.80</del>	<del>\$ 22.80</del>	<del>\$ 22.80</del>
Water Improvement Fee (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>
All Use per 100 gal	<del>\$ 0.54</del>	\$ 0.65	<del>\$ 0.78</del>	<del>\$ 0.93</del>	<del>\$ 1.12</del>

9. Class IX: Commercial Special Wholesale Consumption.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 26.85</del>	\$ 26.85	<del>\$ 26.85</del>	<del>\$ 26.85</del>	<del>\$ 26.85</del>
Water Improvement Fee (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>
All Use per 100 gal	<del>\$ 0.95</del>	\$ 1.14	<del>\$ 1.37</del>	<del>\$ 1.63</del>	<del>\$ 1.96</del>

10. Class X: Fire Hydrant Meter User.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 26.85</del>	\$ 26.85	<del>\$ 26.85</del>	<del>\$ 26.85</del>	<del>\$ 26.85</del>
Water Improvement Fee (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>
All Use per 100 gal	<del>\$ 0.95</del>	\$ 1.14	<del>\$ 1.37</del>	<del>\$ 1.63</del>	<del>\$ 1.96</del>

11. Class XI: Non-Metered City Departments.

All water used and not metered, whether the same be used by the Parks, Street, Water and Fire Departments and/or any other Department, the amount of water used for whatever purpose shall be estimated or measured monthly by the Department using the same and a report of said use shall be given in writing to the Finance Director.

12. Class XII: Customers Outside Municipal Incorporated Limits.

Customers living outside the Municipal Incorporated limits shall be billed at 150% of the applicable rate.

13. Class XIII: Water User Associations.

Water User Associations rates will be negotiated independently through agreements approved by the Aztec City Commission. These agreements should reflect rate increases associated with the increased cost of facilities and operation, maintenance and capital improvements of the system.

14. Class XIV: Metered Department Water.

All metered water used by City facilities/departments shall be assessed at a rate per 1,000 gallons defined established with the annual budget adoption.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Base/System Charge	<del>\$ 28.85</del>	\$ 28.85	<del>\$ 28.85</del>	<del>\$ 28.85</del>	<del>\$ 28.85</del>
<del>Water Improvement Fee</del>					
Water Capital Reserve (per month)	<del>\$ 8.15</del>	\$ 13.15	<del>\$ 18.15</del>	<del>\$ 23.15</del>	<del>\$ 28.15</del>

(Ord. 2023-531, eff. 2023-Jul-07; Ord. 2017-463, eff. 2017-Oct-01; Ord. 2010-384, eff. 2010-July-01; Code 2007)

**Sec. 16-202. Water Rights Rates.**

1. Rates for Meter Sizes Without and With Return Flow.

<i>Meter Size</i>	<i>Without Return Flow</i>	<i>With Return Flow</i>
(1) 5/8 inch	\$ 900	\$ 600
(2) 1 inch	\$ 2,250	\$ 1,500
(3) 1-1/2 inch	\$ 4,500	\$ 3,000
(4) 2 inch	\$ 7,200	\$ 4,800
(5) 3 inch	\$ 14,400	\$ 9,600
(6) 4 inch	\$ 22,500	\$ 15,000

(Code 2007, 16-202)

**Sec. 16-203. Water Drought Fees.**

- 1. Stage 1. Notice Only
- 2. Stage 2 Fees.
  - First Violation Notice Only
  - Second Violation \$ 75.<sup>00</sup> Accessed on Utility Billing
  - Third Violation \$ 125.<sup>00</sup> Accessed on Utility Billing
  - Fourth Violation Water restricted or suspended
- 3. Stage 3 Fees.
  - First Violation Notice Only
  - Second Violation \$ 175.<sup>00</sup> Accessed on Utility Billing
  - Third Violation Water restricted or suspended
- 4. Stage 4 Fees.
  - 16,000 to 25,000 gallons Increase to \$ 7<sup>50</sup> per 1,000 gallons all users
  - Greater than 25,000 gallons Increase to \$ 10.<sup>00</sup> per 1,000 gallons all users
  - First Violation Notice Only
  - Second Violation \$ 300.<sup>00</sup> Accessed on Utility Billing
  - Third Violation Water restricted or suspended

(Ord. 2018-478, eff. 2018-Jul-18; Code 2007, 16-202)

**Secs. 16-204 to 16-210. Reserved.**

## **DIVISION 5. STORMWATER UTILITY SERVICE FEES**

### **Sec. 16-231. Short Title**

This section may be cited as the Stormwater Utility Service Charge Ordinance.  
(Ord. 2023-531, eff. 2023-Jul-nn)

### **Sec. 16-232. Legislative Findings.**

The governing body of the city has determined that:

1. The City seeks to adhere to federal Clean Water Act, 33 U.S.C. 1251 et seq. The Clean Water Act allows certain political entities to implement stormwater management programs.
2. Section 3-49-5 NMSA 1978 authorizes cities to "open, construct, repair, keep in order and maintain water mains, laterals, reservoirs, standpipes, sewers and drains," and Section 3- 27-4 authorizes cities to "levy by general ordinance a just and reasonable service charge" for "maintaining, enlarging, extending, constructing, and repairing water facilities."
3. The City of Aztec region will benefit from the city's efforts to maintain and improve the system of stormwater facilities and other efforts to improve and safeguard the water quality of the Animas River due to their reliance on the Animas River for their long-term supply.
4. The stormwater system provides for the collection, treatment, storage, and disposal of stormwater and provides benefits and services to the City of Aztec and its residents. Such benefits include but are not limited to the provision of adequate systems of collection, conveyance, detention, treatment and release of stormwater, and improvements to the water quality in the stormwater and surface water system and its receiving waters.

(Ord. 2023-531, eff. 2023-Jul-nn)

### **Sec. 16-233. Purpose.**

The city shall impose a stormwater utility service charge on the monthly utility bills of its utility customers for the purpose of funding the operation, construction, and maintenance of stormwater facilities, for stormwater system planning, and for review of stormwater development plans for compliance with stormwater management codes.

(Ord. 2023-531, eff. 2023-Jul-nn)

### **Sec. 16-234. Use of Revenues.**

Stormwater utility service charge revenues shall be accounted for separately from other funds of the city. The charges and any interest earned on the fund shall be spent only for the following:

1. The acquisition, design, construction, maintenance, and operation of the stormwater system, including capital improvements designated in the capital improvement program.
2. Administration and enforcement of this section and all regulations and procedures adopted relating to the design, construction, maintenance, operation, and alteration of

the stormwaters system, including, but not limited to, the quantity and/or velocity of the stormwater conveyed thereby.

3. Preparation and revision of comprehensive drainage infrastructure and monitoring plans.
4. Review of development plans for conformity with stormwater regulation and inspection and acceptance of extensions and connections to the stormwater system.
5. Enforcement of regulations to protect and maintain water quality and quantity within the system in compliance with water quality standards established by state, regional and/or federal agencies as now adopted or hereafter amended.
6. Other activities related to the improvement, maintenance, and operation of the stormwater system.  
(Ord. 2023-531, eff. 2023-Jul-nn)

### **Sec. 16-235. Definitions.**

For the purpose of this section, the following definitions shall apply:

#### **Construction**

The erection, building, acquisition, alteration, reconstruction, improvement or extension of stormwater facilities; preliminary planning to determine the economic and engineering feasibility of stormwater facilities; the engineering, architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action necessary in the construction of stormwater facilities; and the inspection and supervision of the construction of stormwater facilities.

#### **Stormwater**

Surface runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration, and drainage.

#### **Stormwater management**

The planning, design, construction, regulation, improvement, repair, maintenance, and operation of facilities and programs relating to water, flood plains, flood control, grading, erosion, tree conservation, and sediment control.

#### **Stormwater utility service charge**

The charge established under this section and levied on utility customers to fund the costs of stormwater management and of operating, maintaining, and improving the stormwater system in the city.

(Ord. 2023-531, eff. 2023-Jul-nn)

**Sec. 16-236. Stormwater Utility Service Charge Established.**

Each city utility customer account shall be billed a monthly stormwater utility service charge. The stormwater utility service charge is in addition to any other charge that the city has the right to charge under any other rule or regulation of the city.

1. Class I: Residential.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	\$ 6.15	\$ 6.77	\$ 7.44	\$ 10.42	\$ 13.54

2. Class II: Residential Customers 65 years or Older.

For individuals 65 years and older and primary resident.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	\$ 5.54	\$ 6.09	\$ 6.70	\$ 9.38	\$ 12.19

3. Class III: Multi-Residential.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	\$ 6.15	\$ 6.77	\$ 7.44	\$ 10.42	\$ 13.54

4. Class IV: Commercial.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	\$ 19.40	\$ 21.34	\$ 23.47	\$ 32.86	\$ 42.72

5. Class V: Outside Watering.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	\$ 50.30	\$ 55.33	\$ 60.86	\$ 85.21	\$ 110.77

6. Class VI: Industrial.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	\$ 100.00	\$ 110.00	\$ 121.00	\$ 169.40	\$ 220.22

7. Class VII: Institutional.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	\$ 56.70	\$ 62.37	\$ 68.61	\$ 96.05	\$ 124.86

8. Class VIII: Residential Special Wholesale Consumption.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	<del>\$ 32.50</del>	\$ 35.75	<del>\$ 39.33</del>	<del>\$ 55.06</del>	<del>\$ 71.57</del>

9. Class IX: Commercial Special Wholesale Consumption.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	<del>\$ 98.60</del>	\$ 108.46	<del>\$ 119.31</del>	<del>\$ 167.03</del>	<del>\$ 217.14</del>

10. Class X: Metered Department Water.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	<del>\$ 0.00</del>	\$ 0.00	<del>\$ 0.00</del>	<del>\$ 0.00</del>	<del>\$ 0.00</del>

11. Class XI: Customers Outside Municipal Incorporated Limits.

	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>	<u>July 2026</u>	<u>July 2027</u>
Service Charge	<del>\$ 6.15</del>	\$ 6.77	<del>\$ 7.44</del>	<del>\$ 10.42</del>	<del>\$ 13.54</del>

(Ord. 2023-531, eff. 2023-Jul-nn)

**Secs. 16-237 to 16-250. Reserved.**