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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2011-22**

**INTRODUCED BY:**

- Councilor Wurzburger
- Councilor Ortiz
- Councilor Trujillo
- Councilor Bushee

**AN ORDINANCE**

**AMENDING RULE 8 OF EXHIBIT A, CHAPTER 22 SFCC 1987, TO REPEAL THE 4.7 PERCENT PER YEAR SEWER RATE INCREASES FOR MONTHLY SEWER SERVICE AND USAGE FEES THAT WERE TO BE EFFECTIVE OCTOBER 1, 2012, OCTOBER 1, 2013 AND OCTOBER 1, 2014; AND AMENDING RULE 12, OF EXHIBIT A OF CHAPTER 22 SFCC 1987 TO REPEAL THE 4.7 PERCENT PER YEAR INCREASES IN THE MASS BASED COST OF PROVIDING AIR TO REMOVE THE CHEMICAL OXYGEN DEMAND IN WASTEWATER THAT WERE TO BE EFFECTIVE OCTOBER 1, 2012, OCTOBER 1, 2013 AND OCTOBER 1, 2014.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

**Section 1. Rule 8 of Exhibit A of Chapter 22 SFCC 1987 (being Ord. #1997-3, Exhibit A, as amended) is amended to read:**

- 8. Sewer Service Charges.**
  - A. Connected to City Sewer**
    - 1. Single Family Residential Sewer Service Fees and Usage Fees.**

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Single family residential sewer service fees and usage fees shall apply if a sewer customer is served by city water and meets the single family service classification for water as set forth in Chapter 25 SFCC 1987. If not served by city water, single family residential sewer service fees and usage fees shall apply where the sewer connection serves only one unit\* for normal domestic sewage.

a. *In city limits:*

| Effective Date   |                              | Monthly Service Fee | Monthly Usage Fee                  |
|------------------|------------------------------|---------------------|------------------------------------|
| January 1, 2010  | Connected to city water      | \$5.85/unit*        | \$3.58 per 1000 gallons of water** |
|                  | Not connected to city water  | \$5.85/unit*        | \$23.98/unit*                      |
| [October 1, 2012 | Connected to city water      | \$6.13/unit*        | \$3.75 per 1000 gallons of water** |
|                  | Not connected to city water  | \$6.13/unit*        | \$25.10 per unit*                  |
| October 1, 2013  | Connected to city water      | \$6.42/unit*        | \$3.92 per 1000 gallons of water** |
|                  | Not connected to city water  | \$6.42/unit*        | \$26.28 per unit*                  |
| October 1, 2014  | Connected to city water      | \$6.72/unit*        | \$4.11 per 1000 gallons of water** |
|                  | Not connected to city water] | \$6.72/unit*        | \$27.52 per unit*                  |

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b. *Outside city limits*

| Effective Date   |                              | Monthly Service Fee | Monthly Usage Fee                  |
|------------------|------------------------------|---------------------|------------------------------------|
| January 1, 2010  | Connected to city water      | \$5.85/unit*        | \$3.84 per 1000 gallons of water** |
|                  | Not connected to city water  | \$5.85/unit*        | \$25.72/unit*                      |
| [October 1, 2012 | Connected to city water      | \$6.13/unit*        | \$4.02 per 1000 gallons of water** |
|                  | Not connected to city water  | \$6.13/unit*        | \$26.93 per unit*                  |
| October 1, 2013  | Connected to city water      | \$6.42/unit*        | \$4.21 per 1000 gallons of water** |
|                  | Not connected to city water  | \$6.42/unit*        | \$28.20 per unit*                  |
| October 1, 2014  | Connected to city water      | \$6.72/unit*        | \$4.40 per 1000 gallons of water** |
|                  | Not connected to city water] | \$6.72/unit*        | \$29.52 per unit*                  |

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**2. Multi-Family Residential Sewer Service:**

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The following sewer service fees and usage fees shall apply if a sewer customer is served by city water and meets the multi-family residential service classification for water as set forth in Chapter 25 SFCC 1987. If not served by city water, multi-family residential sewer service fees and usage fees shall apply where the sewer connection serves more than one unit\* for normal domestic sewage.

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a. *In city limits:*

| Effective Date   |                              | Monthly Service Fee | Monthly Usage Fee                  |
|------------------|------------------------------|---------------------|------------------------------------|
| January 1, 2010  | Connected to city water      | \$5.85/unit*        | \$3.58 per 1000 gallons of water** |
|                  | Not connected to city water  | \$5.85/unit*        | \$23.98/unit*                      |
| [October 1, 2012 | Connected to city water      | \$6.13/unit*        | \$3.75 per 1000 gallons of water** |
|                  | Not connected to city water  | \$6.13/unit*        | \$25.10 per unit*                  |
| October 1, 2013  | Connected to city water      | \$6.42/unit*        | \$3.92 per 1000 gallons of water** |
|                  | Not connected to city water  | \$6.42/unit*        | \$26.28 per unit*                  |
| October 1, 2014  | Connected to city water      | \$6.72/unit*        | \$4.11 per 1000 gallons of water** |
|                  | Not connected to city water] | \$6.72/unit*        | \$27.52 per unit*                  |

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b. *Outside city limits*

| Effective Date   |                              | Monthly Service Fee | Monthly Usage Fee                  |
|------------------|------------------------------|---------------------|------------------------------------|
| January 1, 2010  | Connected to city water      | \$5.85/unit*        | \$3.84 per 1000 gallons of water** |
|                  | Not connected to city water  | \$5.85/unit*        | \$25.72/unit*                      |
| [October 1, 2012 | Connected to city water      | \$6.13/unit*        | \$4.02 per 1000 gallons of water** |
|                  | Not connected to city water  | \$6.13/unit*        | \$26.93 per unit*                  |
| October 1, 2013  | Connected to city water      | \$6.42/unit*        | \$4.21 per 1000 gallons of water** |
|                  | Not connected to city water  | \$6.42/unit*        | \$28.20 per unit*                  |
| October 1, 2014  | Connected to city water      | \$6.72/unit*        | \$4.40 per 1000 gallons of water** |
|                  | Not connected to city water] | \$6.72/unit*        | \$29.52 per unit*                  |

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3. **Commercial Sewer Service:**

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The following sewer service fees and usage fees shall apply where the

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water meter(s) serves a use not classified as single family residential or

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multi-family residential sewer service set forth above or where service is provided for a combination of residential and commercial services.

a. *In city limits*

| Effective Date   |                              | Monthly Service Fee | Monthly Usage Fee                   |
|------------------|------------------------------|---------------------|-------------------------------------|
| January 1, 2010  | Connected to city water      | \$5.85/unit*        | \$3.58 per 1000 gallons of water*** |
|                  | Not connected to city water  | \$5.85/unit*        | \$23.98/unit*                       |
| [October 1, 2012 | Connected to city water      | \$6.13/unit*        | \$3.75 per 1000 gallons of water*** |
|                  | Not connected to city water  | \$6.13/unit*        | \$25.10 per unit*                   |
| October 1, 2013  | Connected to city water      | \$6.42/unit*        | \$3.92 per 1000 gallons of water*** |
|                  | Not connected to city water  | \$6.42/unit*        | \$26.28 per unit*                   |
| October 1, 2014  | Connected to city water      | \$6.72/unit*        | \$4.11 per 1000 gallons of water*** |
|                  | Not connected to city water] | \$6.72/unit*        | \$27.52 per unit*                   |

b. *Outside city limits*

| Effective Date   |                              | Monthly Service Fee | Monthly Usage Fee                   |
|------------------|------------------------------|---------------------|-------------------------------------|
| January 1, 2010  | Connected to city water      | \$5.85/unit*        | \$3.84 per 1000 gallons of water*** |
|                  | Not connected to city water  | \$5.85/unit*        | \$25.72/unit*                       |
| [October 1, 2012 | Connected to city water      | \$6.13/unit*        | \$4.02 per 1000 gallons of water*** |
|                  | Not connected to city water  | \$6.13/unit*        | \$26.93 per unit*                   |
| October 1, 2013  | Connected to city water      | \$6.42/unit*        | \$4.21 per 1000 gallons of water*** |
|                  | Not connected to city water  | \$6.42/unit*        | \$28.20 per unit*                   |
| October 1, 2014  | Connected to city water      | \$6.72/unit*        | \$4.40 per 1000 gallons of water*** |
|                  | Not connected to city water] | \$6.72/unit*        | \$29.52 per unit*                   |

1                   **4.       Exceptions to Commercial Sewer Service.**

2                   Mobile home parks; commercial greenhouses; churches; properties  
3                   owned by the U.S. government, the state of New Mexico, the city of  
4                   Santa Fe, the county of Santa Fe and the Santa Fe board of education;  
5                   and state accredited private elementary and secondary schools and  
6                   colleges shall not be considered commercial sewer services and shall be  
7                   considered residential sewer service.

8                   **B.       Not Connected to City Sewer**

9                   1.       **Accessible to city sewer system**

10                   (as defined in Section 22-2.1 SFCC 1987)

| <b>Effective Date</b>      | <b>Cost per unit*/lot</b>                                 |
|----------------------------|---|
| January 1, 2010            | \$5.85 per unit* or if no unit* \$5.85 per lot            |
| <del>October 1, 2012</del> | <del>\$6.13 per unit* or if no unit* \$6.13 per lot</del> |
| October 1, 2013            | \$ 6.42 per unit* or if no unit* \$6.42 per lot           |
| October 1, 2014            | \$6.72 per unit* or if no unit* \$ 6.72 per lot]          |

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12                   2.       **Not accessible to city sewer system**                   No charge

13                   **C.       Taxes.**

14                   Billings under the this schedule may be increased by an amount equal to the sum  
15                   of taxes payable under the Gross Receipts and Compensating Tax Act and of all  
16                   other taxes, fees, or charges payable by the City and levied or assessed by any  
17                   governmental authority on the public utility service rendered, or on the right or  
18                   privilege of rendering the service, or on any object or event incidental to the  
19                   rendition of the service.

20                   **Notes:**

21                   \*       Unit means:

- 22                   •       *For residential customers:* one room, or rooms connected together, constituting a

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separate, independent housekeeping establishment for owner occupancy, or rental or lease and physically separated from any other rooms or residential units that may be in the same structure and containing independent plumbing facilities. A residential unit may include, but is not limited to, a single family house, an apartment unit, condominium unit, mobile home, or a guest house.

- *For commercial customers:* an area constituting a separate, independent enterprise establishment for owner occupancy, or rental or lease and physically separated from any other commercial units that may be in the same structure and containing independent plumbing facilities.
- *For both residential and commercial purposes,* the term unit does not include a motel or hotel unit or similar transient lodging or rest homes, nursing homes or similar institutional facilities.

\*\* Shown on the water meter readings averaged for the months of December, January, and February of the preceding year. If any of those three months were a zero reading, the water consumption for that month will not be used in the average. For example, if one month has a zero read then the two months consumption will be added and then divided by two. In the case were three zero reads were recorded for December, January, and February, then the previous year water usage will be used. In the event that the previous year also had three zero reads, then the wastewater management division director will estimate the average based on water usage history for that particular customer's residence or business. If any of those three months were a reading less than 1000 gallons, the water consumption for that month shall be assumed to be 1,000. For example:

|          |                            |                          |
|----------|----------------------------|--------------------------|
| December |                            | 5,000g water consumption |
| January  | 0g water consumption, so   | 0 gallons assumed        |
| February | 900g water consumption, so | 1,000 gallons assumed    |

1 Total (for the 3 months) 6,000 gallons water consumption

2 Average (Divide by two since one zero read) 3,000 gallons

3 \*\*\* Shown on the water meter reading for that utility billing cycle.

4 Section 2. Rule 12 of Exhibit A of Chapter 22 SFCC 1987 (being Ord. #1997-3,

5 Exhibit A, as amended) is amended to read:

6 12. Extra-Strength Surcharge. See the definition of COD in subsection 22-2.1 and

7 Section 22-10 for information related to the extra-strength surcharge.

8 12.1. The Surcharge fee shall be equal to:

9  $0.9 \times (C-D) \times F \times cf \times L$ , for users whose discharge has been tested, and

10  $0.9 \times (M-D) \times F \times cf \times L$ , for users whose discharge has not been tested.

11 Where:

12 C = COD concentration in the user's discharge stream in milligrams per liter  
13 (mg/l)

14 D = Average domestic sewage COD concentration, established at 550  
15 milligrams per liter (mg/l).

16 F = Average water use in million gallons per month as shown in the water  
17 division records.

18 cf = 8.34. A factor to convert the units of milligrams to pounds per million  
19 gallons.

20 L = The mass based cost of providing air to remove the COD in wastewater.

21 The cost has been established at the following costs:

| Effective Date   | Cost per pound |
|------------------|----------------|
| January 1, 2010  | \$0.51         |
| [October 1, 2012 | \$0.53         |
| October 1, 2013  | \$0.55         |
| October 1, 2014  | \$0.58]        |

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1 M = Mean COD concentration in the user's sewage disposal as tested.  
2 0.9 = Represents ninety percent of the water used through a water meter as  
3 being discharged into the sanitary sewer.

4 Or:


5 Monthly water usage x 0.00337\*L = Amount of monthly surcharge fee.

6 12.2 The resampling fee shall be equal to: \$75.00 and shall not be sampled more than  
7 once per calendar year.

8 **Editor's Note:** The title page of Exhibit A shall be amended to reflect the adoption of this  
9 ordinance.

10 APPROVED AS TO FORM:

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13 GENO ZAMORA, CITY ATTORNEY

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25 *mdb/caojep&mdb/bills 2011/sewer rates repeal*