

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2013-26

3 INTRODUCED BY:

4 Councilor Ives

5 Councilor Calvert

6 Councilor Bushee

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9
10 AN ORDINANCE

11 RELATING TO WATER CONSERVATION; AMENDING SECTION 25-4.2 SFCC 1987 TO
12 REMOVE THE EXPIRED COMMERCIAL WATER RATE ADJUSTMENT PROVISIONS;
13 AND CREATING A NEW SECTION 25-4.3 SFCC 1987 TO ESTABLISH COMMERCIAL
14 WATER USER REBATE REGULATIONS.

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

17 Section 1. Section 25-4.2 SFCC 1987 (being Ord. #1995-19, §1, as amended) is
18 amended to read:

19 25-4.2 Rates and Charges Adopted.

20 [A.] Rates and charges related to water service by the Santa Fe municipal water system
21 are hereby adopted by reference and incorporated as part of this chapter as Exhibit B. **

22 **Editor's Note: The exhibits referred to herein may be found at the end of this chapter.

23 ~~[B.] The water division director may approve an adjustment to the rate schedule set forth~~
24 ~~in Exhibit B, located at the end of this chapter, as follows:~~

25 ~~(1) Only commercial customers with meters that are one (1") inch or less may~~

1 apply.

2 ~~(2) The customer shall submit an application by May 12, 2010 (thirty (30) days~~
3 ~~from the effective date of this amended subsection), to the water division demonstrating:~~

4 ~~(a) That there are unique circumstances regarding the type of business~~
5 ~~resulting in water delivered to the applicant from the city's water distribution system~~
6 ~~being a substantial part of the finished product and/or service offered by the applicant~~
7 ~~at the service address in question.~~

8 ~~(b) That the customer's previous water use exceeded the established Tier~~
9 ~~I allotment for the applicant's meter size by at least ten percent (10%) in each of the~~
10 ~~preceding twelve (12) months; and~~

11 ~~(c) That the customer has made a reasonable attempt to minimize water~~
12 ~~use and eliminate water waste.~~

13 ~~(3) Upon receipt of an application staff shall:~~

14 ~~(a) Review the application;~~

15 ~~(b) Conduct an inspection of the customer's service address to evaluate~~
16 ~~the extent of the customer's conservation efforts and to verify the efforts claimed by~~
17 ~~the customer in the customer's application. Staff shall evaluate customer's water~~
18 ~~conservation efforts based on the following criteria:~~

19 ~~(i) The customer has installed certified low flow fixtures,~~
20 ~~appliances, equipment, and devices such that eighty percent (80%) of all~~
21 ~~fixtures, appliances, equipment, and devices at the service address are low-~~
22 ~~flow, consistent with Uniform Plumbing Code and industry standards.~~

23 ~~(ii) Customer fixtures as well as primary service connection at~~
24 ~~the meter are free of leaks.~~

25 ~~(iii) Any irrigation equipment located at the service address is~~

1 equipped with rain gauge cut offs, smart controllers, or other similar
2 technology to prevent irrigation when such irrigation is unnecessary due to
3 favorable weather conditions.

4 (iv) — Water processing equipment or processes at the customer's
5 service address are free of leaks, including water lost to evaporation.

6 (e) — Review the customer's previous twelve (12) month water use history
7 and costs to determine if usage has exceeded the Tier I allotment by ten percent
8 (10%) or more for the entire previous twelve (12) months.

9 (d) — Compare the customer's water demand with the water division's
10 engineering criteria to determine if a larger size meter is appropriate.

11 (e) — Present a written recommendation to the water division director
12 regarding the options set forth in paragraph (4) below.

13 (4) — The water division director may decide one of the following options:

14 (a) — A change in the actual meter is not warranted, but rather a rate
15 adjustment is appropriate establishing a commercial water rate eliminating the high
16 water use charge; or

17 (b) — A change in the meter is warranted and the corresponding rate
18 change with all applicable fees shall be paid; or

19 (c) — A change in the meter is warranted with all applicable fees paid with
20 a rate adjustment eliminating the high water use charge; or

21 (d) — No rate adjustment is warranted because:

22 (i) — The customer has not met the criteria provided for in
23 paragraph (3)(b) to minimize water use and eliminate water waste; or

24 (ii) — The customer's usage does not exceed the established Tier I
25 allotment by ten percent (10%) or more for each of the previous twelve (12)

1 months.

2 (e) ~~— No meter change is warranted because the customer's water demand~~
3 ~~does not exceed the water division's engineering criteria.~~

4 (5) ~~— If a rate adjustment is approved, staff shall monitor the customer's~~
5 ~~water use and water conservation efforts and if the water use is not consistent with the initial~~
6 ~~application, recommend to the water division director revocation of the adjusted rate.~~

7 (6) ~~— Appeals of decisions of the water division director may be heard by~~
8 ~~the public utilities committee as per Rule 22, Customer Complaint Procedures of Exhibit A~~
9 ~~located at the end of this chapter.]~~

10 **Section 2. A new Section 25-4.3 SFCC 1987 is ordained to read:**

11 **25-4.3 [NEW MATERIAL] Commercial Water User Rebate Regulations.**

12 A. *Purpose.* The purpose of this Section is to provide rebate incentives for commercial
13 water users to lower water consumption through the installation and use of high-efficiency water-
14 saving equipment or technology.

15 B. *Commercial Water User.* For purposes of this section, a commercial water user is a
16 city of Santa Fe water division customer with a commercial sector designation within the current
17 billing system that has installed high-efficiency water-saving equipment. Commercial water users
18 include schools and governmental entities.

19 C. *Applicability of Commercial Water User Rebate.*

20 (1) The city water conservation office shall apply the one-time rebate to an
21 applicant's bill after one year of water use monitoring and an evaluation of water savings. For
22 new commercial customers, the one year monitoring period will begin after the water saving
23 equipment or technology is installed, not at the time water service is established.

24 (2) The rebate shall be applicable to water saving hardware or systems and for
25 complex or untested measures which shall be verified by the city.

1 (3) An applicant shall coordinate with the water conservation office prior to the
2 installation of retrofits or high efficiency water saving equipment.

3 (4) The rebate amount shall be based on the amount of water the high efficiency
4 water saving equipment has saved.

5 D. *Application for Commercial Water User Rebate.* A new or existing commercial
6 water user may apply for a rebate, regardless of meter size. An applicant for a commercial water user
7 rebate shall provide the following information on the application:

8 (1) The address and account of the commercial water user to show that the
9 commercial water user is a city of Santa Fe water utility customer;

10 (2) The high-efficiency water-saving measures, including hardware or systems
11 that relate to the commercial water user's commercial water processes that minimize water
12 use and eliminate water waste;

13 (3) Data to show that at least 80% of water fixtures are water efficient and free
14 of leaks; and

15 (4) An estimate of the amount of water the commercial water user has saved as a
16 result of the high-efficiency water-saving measures.

17 E. *Application Evaluation.*

18 (1) An applicant for a commercial water user rebate shall:

19 (a) Participate in a pre-application meeting with the water conservation
20 office for a water use evaluation prior to installation of the equipment or technology.

21 (b) Participate in a post-installation inspection of the high efficiency
22 water saving equipment with the water conservation office.

23 (c) Provide original receipts for the purchase of the equipment that the
24 rebate is being applied for.

25 (2) The city water conservation office shall monitor water consumption of the

1 applicant over the course of the first year after the application has been submitted to
2 determine whether the overall water consumption per unit is has decreased. If after one year
3 an applicant's water consumption shows no indication of water savings then the rebate shall
4 not be applied to the account.

5 F. *Administrative Procedures.*

6 (1) The city shall establish administratively minimum standards of water-use
7 efficiency for qualifying rebates for commercial fixtures, appliances and landscape
8 efficiencies, which include, but are not limited to:

9 (a) Replacement of water-cooled equipment with new air-cooled
10 equipment

11 (b) Process water reclamation systems

12 (c) Elimination of water intensive phases of industrial processes

13 (d) Cooling Tower modifications

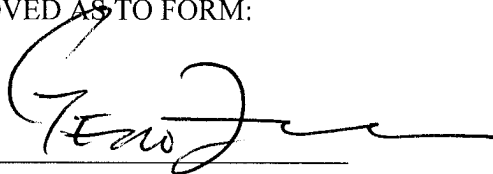
14 (e) Industrial laundry equipment upgrades or reuse

15 (f) Large scale irrigation improvements (when applying under this
16 category, monitoring of water savings will be two watering seasons).

17 (2) All rebates are given in the form a credit that is applied to the customer's
18 water bill.

19 (3) The city shall also establish administratively the quantity of water conserved
20 by each piece of high-efficiency water-saving equipment and the amount that the water bill
21 will be rebated.

22 APPROVED AS TO FORM:

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25 GENO ZAMORA, CITY ATTORNEY