

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-366

**AN ORDINANCE AMENDING CHAPTER 40, ARTICLE III, SECTION 40-201
RELATING TO SEWAGE SERVICE RATES**

WHEREAS, the Incorporated County of Los Alamos ("County") is an incorporated county of the State of New Mexico as provided in Section 5, Article 10 of the New Mexico Constitution; and pursuant to Section 5, Article 10 of the State Constitution, is also granted all powers of a municipality; and

WHEREAS, pursuant to Article V of the County Charter, there is a Department of Public Utilities ("Department") charged with the duty to operate a County owned electric, gas, water and sewer systems; and

WHEREAS, Section 504 of the County Charter requires the Department be operated on a compensatory basis, with rates being just, reasonable, and comparable to those in neighboring communities; and

WHEREAS, the Department and Utility Manager have identified the need to increase sewer rates to meet the projected revenue requirements of the Department; and

WHEREAS, pursuant to Section 203.1.d. of the County Charter, any change in County utility rates must be done via ordinance; and

WHEREAS, pursuant to Section 4.6.a. of the *Board of Public Utilities Procedural Rules* (ed. 09/18/24), the Utilities Manager is responsible for preparing and presenting proposed utility rate ordinances to the Board of Public Utilities; and

WHEREAS, pursuant to Section 504 of the County Charter, the rates to be paid for utility services shall then be proposed by the Board of Public Utilities to the County Council and shall become effective on the date of adoption by Council; and

WHEREAS, pursuant to Section 4.6.b. of the *Board of Public Utilities Procedural Rules*, the proposed rates must be presented at the Board of Public Utilities meeting prior to the public hearing on a final proposed utility rate ordinance; and

WHEREAS, the Utilities Manager shall introduce the draft ordinance to the Board of Public Utilities and present the budget and operational reasons for the proposed sewage service rate ordinance; and

WHEREAS, the Utilities Manager presented the proposed sewage service rate increases to the Board of Public Utilities on March 19, 2025; and

WHEREAS, the Utilities Manager, after receiving comments from the Board of Public Utilities, presented the final sewage service rate ordinance on April 16, 2025; and

WHEREAS, the Board of Public Utilities accepted the final sewage service rate ordinance and recommended forwarding it to Council for adoption; and

WHEREAS, on May 6, 2025, the County Council, pursuant to Section 203.2.1 of the County Charter introduced the proposed sewage service rate ordinance; and

WHEREAS, on June 10, 2025, the County Council, pursuant to Section 203.2.2 of the County Charter held a public hearing on the proposed sewage service rate ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS, as follows:

Section 1. Section 201 of Chapter 40 of the Code of the Incorporated County of Los Alamos is hereby amended as follows:

Sec. 40-201. - Sewage service rate schedules.

(a) Residential rate service schedule 6-A is applicable only for normal domestic sewer service for individual residences, dwelling units and apartments, where each unit is individually metered for water.

(b) Residential rate service schedule 6-G is applicable only for normal domestic sewer service for multi-family dwelling units, apartments, and subdivisions or residential complexes where each unit is not individually metered by the county for water.

(c) Commercial rate service schedule 6-K is applicable to all nonresidential sewer services.

(d) *Customer charges.* Each sewage customer account shall be billed a customer charge of ~~[\$12.35]~~ \$13.11 per billing cycle per account for billings processed after September 30, 2024; ~~[and \$13.37 per month per account for billings processed after September 30, 2025.]~~ \$14.03 per month per account for billings processed beginning July 1, 2025, and \$15.01 beginning July 1, 2026.

(e) *Fixed charges.*

(1) To each customer billed under rate service schedule 6-A, \$47.45 per month per dwelling unit for billings processed after September 30, 2024; ~~[\$48.40 per month per dwelling unit for billings processed after September 30, 2025]~~ \$50.77 beginning July 1, 2025 and \$54.32 beginning July 1, 2026.

(2) To each customer billed under rate service schedule 6-G \$39.54 per month per dwelling unit for billings processed after September 30, 2024; ~~[and \$40.33 per month per dwelling unit for billings processed after September 30, 2025.]~~ \$42.31 beginning July 1, 2025 and \$45.27 beginning July 1, 2026.

(f) *Variable rate.* The variable rate shall be applicable to customers billed under rate service schedule 6-K. The variable rate shall be \$22.33 per 1,000 gallons for billings processed after September 30, 2024; ~~[and \$22.78 per 1,000 gallons for billings processed after September 30, 2025.]~~ \$23.89 per 1,000 gallons for billings processed beginning July 1, 2025 and \$25.56 per 1,000 gallons for billing processed beginning July 1, 2026.

Section 2. Effective Date. This ordinance shall become effective upon adoption by the county Council and shall be implemented as soon as practical thereafter.

Section 3. Severability. Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 4. Repealer. All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

ADOPTED this 10th day of June 2025.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

**Theresa Cull,
Council Chair**

ATTEST: (SEAL)

**Michael D. Redondo
Los Alamos County Clerk**