

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-380

AN ORDINANCE AMENDING CHAPTER 40, ARTICLE III, SECTIONS 40-171, 40-173, and 40-175 OF THE CODE OF THE INCORPORATED COUNTY OF LOS ALAMOS PERTAINING TO WATER SERVICE RATE SCHEDULES

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 granted all powers of a municipality; and

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

WHEREAS, Section 504 of the County Charter requires that 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 Utilities Manager have identified the need to increase water rates to meet the projected revenue requirements of the Department; and

WHEREAS, pursuant to Section 203.1.d. any change in County utility rates shall be done by ordinance; and

WHEREAS, pursuant to Section 4.6.a. of the *Board of Public Utilities Procedural Rules* (ed 8/20/25), the Utilities Manager is responsible for preparing and presenting proposed utility rate ordinances to the Board of Public Utilities ("BPU"); and

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

WHEREAS the Utilities Manager initially presented the proposed water rate ordinance to BPU on April 15, 2026; and

WHEREAS, the Utilities Manager, after receiving comments from the BPU, then presented the final proposed increased water rate ordinance to the BPU on May 20, 2026; and

WHEREAS, on May 20, 2026, the BPU approved the final proposed increased water rate ordinance and recommended forwarding it to the County Council; and

WHEREAS, on June 9, 2026, the County Council, pursuant to County Charter, Section 203.2.1 introduced the proposed water rate ordinance; and

WHEREAS, on June 30, 2026, the County Council, pursuant to County Charter, Section 203.2.2 held a public hearing on the proposed increase to the water rate ordinance; and

WHEREAS, the proposed water rate schedule shall be amended as follows, with strike through-text indicating deletions and underline-text indicating added text.

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

Section 1. Section 40-171 of the Code of the Incorporated County of Los Alamos is amended to read, as follows:

Sec. 40-171. Potable water rate schedule 8-A.

- (a) *Applicability.* Potable water rate schedule 8-A is applicable to all classes of retail customers whether commercial, residential, or otherwise. The rate shall consist of a service charge plus a water consumption charge.
- (b) *Service charge.*

Service Charge Per Meter Per Month			
Water Meter Size	Through 9/30/2026	From 10/1/2026 through 9/30/2027	From 10/1/2027 through 9/30/2028
1-inch and under	\$16.69	\$18.03	\$19.47
1½-inch	\$52.86	\$40.57	\$43.81
2-inch	\$78.89	\$72.12	\$77.88
3-inch	\$155.68	\$162.27	\$175.23
4-inch	\$265.10	\$288.48	\$311.52
6-inch	\$559.63	\$649.08	\$700.92
8-inch	\$924.64	\$1,153.92	\$1,246.08
10-inch		\$1,803.00	\$1,947.00
12-inch		\$2,596.32	\$2,803.68

- (c) *Water consumption charge.* The water consumption charge shall be charged to each customer billed under rate schedule 8-A according to the following schedules:

	<i>Consumption October 1 through April 30 (Non-Peak Season)</i>			
	<i>Commodity Rate per 1,000 Gallons</i>			
	<i>Monthly Consumption</i>	<i>9,000 gal or less</i>	<i>over 9,000 gal to 15,000 gal</i>	<i>over 15,000 gal</i>
Single family residential				
	Through 09/30/2025	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	\$8.13	\$8.13	\$8.13
	10/1/2027-09/30/2028	\$8.78	\$8.78	\$8.78
Multi-family residential				
	Through 09/30/2025	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	\$8.13	\$8.13	\$8.13
	10/1/2027-09/30/2028	\$8.78	\$8.78	\$8.78
Commercial				
	Through 09/30/2025	<u>\$7.53</u>	<u>\$7.53</u>	<u>\$7.53</u>
	10/1/2026-09/30/2027	\$8.13	\$8.13	\$8.13
	10/1/2027-09/30/2028	\$8.78	\$8.78	\$8.78
County/schools				
	Through 09/30/2025	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	\$8.13	\$8.13	\$8.13
	10/1/2027-09/30/2028	\$8.78	\$8.78	\$8.78

	<i>Consumption May 1 through September 30 (Peak Season)</i>			
	<i>Commodity Rate per 1,000 Gallons</i>			
	<i>Monthly Consumption</i>	<i>9,000 gal or less</i>	<i>over 9,000 gal to 15,000 gal</i>	<i>over 15,000 gal</i>
Single family residential				
	Through 09/30/2025	\$7.53	\$8.28	\$9.10
	10/1/2026-09/30/2027	\$8.13	\$8.94	\$9.84
	10/1/2027-09/30/2028	\$8.78	\$9.66	\$10.62

Multi-family residential	Through 09/30/2025	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	\$8.13	\$8.13	\$8.13
	10/1/2027-09/30/2028	\$8.78	\$8.78	\$8.78
Commercial				
	After 09/30/2025	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	\$8.13	\$8.13	\$8.13
	10/1/2027-09/30/2028	\$8.78	\$8.78	\$8.78
County/schools				
	After 09/30/2025	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	\$8.13	\$8.13	\$8.13
	10/1/2027-09/30/2028	\$8.78	\$8.78	\$8.78

Note: Multi-family residential includes multiple dwelling units (duplexes, triplexes, quads ...) and apartments as defined in section 40-201.

Section 2. Section 40-173 of the Code of the Incorporated County of Los Alamos is amended to read, as follows:

Sec. 40-173. Non-potable water rate charge.

(a) The non-potable water rate sold and delivered to points of delivery. The rate shall consist of a service charge, plus a non-potable water consumption charge.

(b) Service Charge.

Service Charge Per Meter Per Month		
Water Meter Size	From 7/1/2026 through 6/30/2027	From 7/1/2027 through 6/30/2028
1-inch and under	\$9.02	\$9.74
1½-inch	\$20.29	\$21.91
2-inch	\$36.06	\$38.94
3-inch	\$81.14	\$87.62

4-inch	\$144.24	\$155.76
6-inch	\$324.54	\$350.46
8-inch	\$576.96	\$623.04
10-inch	\$901.50	\$973.50
12-inch	\$1,298.16	\$1,401.84

- (c) The water consumption rate for non-potable water, including effluent reuse water, shall be \$3.69 per 1,000 gallons for consumption through June 30, 2026, \$3.99 per 1,000 gallons for consumption July 1, 2026 through June 30, 2027, and \$4.30 per 1,000 gallons for consumption July 1, 2027 through June 30, 2028.

Section 3. Section 40-175 of the Code of the Incorporated County of Los Alamos is amended to read, as follows:

Sec. 40-175. Bulk delivery rate schedule 8-D.

- (a) Applicability. Schedule 8-D is applicable to all bulk water sold and delivered to bulk points of delivery. The rate shall consist of a service charge, plus a water consumption charge.
- (b) The bulk delivery rate for water sold and delivered to bulk points of delivery shall \$5.59 per 1,000 gallons for consumption through June 30, 2026, \$6.04 per 1,000 gallons for consumption for July 1, 2026 through June 30, 2027, and \$6.52 per 1,00 gallons for consumption for July 1, 2027 through June 30, 2028.
- (c) The customer service charge for water sold and delivered to bulk points of delivery shall be \$946.68 per month per customer for service through June 30, 2026, \$1,022.41 per month per customer for service July 1, 2026 through June 30, 2027, and \$1,104.21 per month per customer for service July 1, 2027 through June 30, 2028.

Section 4. Three new sections are added to the Code of Ordinances, Chapter 40 Utilities, Water Rates, Sections; 40-176 Irrigation Meters, 40-177 Bulk Water Sales to Los Alamos National Laboratory, and 40-178 Pajarito Mountain Service Area, as follows:

Sec 40-176 – Irrigation Meters

Definition: An irrigation meter is a dedicated water meter that exclusively meters water used for outdoor watering, irrigation and snowmaking. None of the water used is returned to the sewer system, and sewer charges do not apply to irrigation meter usage.

- (a) The potable water rate is applicable to water sold and delivered for irrigation meters. The rate shall consist of a service charge, plus a potable water consumption charge.
- (b) Service Charge.

Service Charge Per Meter Per Month for Snow Making and Irrigation		
Water Meter Size	From 7/1/2026 through 6/30/2027	From 7/1/2027 through 6/30/2028
1-inch and under	\$9.02	\$9.74
1½-inch	\$20.29	\$21.91
2-inch	\$36.06	\$38.94
3-inch	\$81.14	\$87.62
4-inch	\$144.24	\$155.76
6-inch	\$324.54	\$350.46
8-inch	\$576.96	\$623.04
10-inch	\$901.50	\$973.50
12-inch	\$1,298.16	\$1,401.84

- (c) The water consumption rate for potable water, for irrigation use, shall be \$8.13 per 1,000 gallons for consumption July 1, 2026 through June 30, 2027, and \$8.78 per 1,000 gallons for consumption July 1, 2027 through June 30, 2028

Sec. 40-177 Bulk Water Sales to Los Alamos National Laboratory

- (a) The water consumption rate for water sales to Los Alamos National Laboratory, for potable water sold and delivered to Los Alamos National Laboratory points of delivery shall consist of a service charge, plus a water consumption charge.
- (b) The customer service charge for water sold and delivered to bulk points of delivery shall be \$946.68 per month per customer for service through June 30, 2026, \$1,022.41 per month per customer for service July 1, 2026 through June 30, 2027, and \$1,104.21 per month per customer for service July 1, 2027 through June 30, 2028.
- (c) The water consumption rate for potable water sold and delivered to Los Alamos National Laboratory shall be \$7.45 per 1,000 gallons for consumption from July 1, 2026 through June 30, 2027, and \$7.80 per 1,000 gallons for consumption from July 1, 2027 through June 30, 2028.

Sec. 40-178 Pajarito Mountain Service Area

The water consumption rate for Pajarito Mountain Service Area for potable water sold and delivered to the Pajarito Mountain Area points of delivery shall consist of applicable potable water service charge or irrigation meter charge, commercial water consumption charge plus an energy charge. The energy consumption rate \$1.50 per 1,000 gallons of water sold from July 1, 2026 through June 30, 2027, and \$1.50 per 1,000 gallons of water sold from July 1, 2027 through June 30, 2028.

Section 5. **Effective Date.** This ordinance shall become effective upon adoption with the amended water rates being applied for all billings on or after July 1, 2026.

Section 6. **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 7. **Repealer.** All ordinance 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 30th day of June 2026.

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

**Randall T. Ryti,
Council Chair**

ATTEST: (SEAL)

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