

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-387

AN ORDINANCE AMENDING THE DEPARTMENT OF PUBLIC UTILITIES' WATER SERVICE RATE SCHEDULES, CHAPTER 40, ARTICLE III, SECTIONS 40-171, 40-173, AND 40-175, AND ADDING NEW SECTIONS 40-176, 40-177, AND 40-178 TO THE INCORPORATED COUNTY OF LOS ALAMOS CODE

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 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, Ordinance No. 02-380, An Ordinance Amending the Department of Public Utilities' Water Service Rate Schedules, Chapter 40, Article III, Sections 40-171, 40-173, and 40-175, and Adding New Sections 40-176, 40-177, and 40-178 to the Incorporated County of Los Alamos Code, which was adopted by County Council on June 30, 2026, is void due to an inadvertent procedural defect in its adoption; and

WHEREAS, pursuant to Charter 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 Charter Section 504 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 this proposed increased water rate ordinance to BPU on August 5, 2026; and

WHEREAS, the Utilities Manager, after receiving comments from the BPU, then presented this final proposed increased water rate ordinance to the BPU on August 19, 2026; and

WHEREAS, on August 19, 2026, the BPU approved this final proposed water rate ordinance and recommended forwarding it to the County Council; and

WHEREAS, on August 25, 2026, the County Council, pursuant to County Charter, Section 203.2.1 introduced this proposed increased water rate ordinance; and

WHEREAS, on September 29, 2026, the County Council, pursuant to County Charter, Section 203.2.2 held a public hearing on this proposed increased water rate ordinance; and

WHEREAS, the water service rate schedule shall be amended, 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 10/31/2022]	[From 11/1/2022 through 09/30/2023]	[From 10/01/2023 through 09/30/2024]	[From 10/01/2024 through 09/30/2025]	[After 9/30/2025] <u>Through 9/30/2026</u>	<u>From 10/1/2026 through 9/30/2027</u>	<u>After 9/30/2027</u>
1-inch and under	[\$11.40]	[\$12.54]	[\$13.79]	[\$15.17]	\$16.69	<u>\$18.03</u>	<u>\$19.47</u>
1½-inch	[\$36.10]	[\$39.71]	[\$43.68]	[\$48.05]	\$52.86	<u>\$40.57</u>	<u>\$43.81</u>
2-inch	[\$53.88]	[\$59.27]	[\$65.20]	[\$71.72]	\$78.89	<u>\$72.12</u>	<u>\$77.88</u>
3-inch	[\$106.33]	[\$116.96]	[\$128.66]	[\$141.53]	\$155.68	<u>\$162.27</u>	<u>\$175.23</u>
4-inch	[\$181.06]	[\$199.17]	[\$219.09]	[\$241.00]	\$265.10	<u>\$288.48</u>	<u>\$311.52</u>
6-inch	[\$382.23]	[\$420.45]	[\$462.50]	[\$508.75]	\$559.63	<u>\$649.08</u>	<u>\$700.92</u>
8-inch	[\$631.54]	[\$694.69]	[\$764.16]	[\$840.58]	\$924.64	<u>\$1,153.92</u>	<u>\$1,246.08</u>
<u>10-inch</u>						<u>\$1,803.00</u>	<u>\$1,947.00</u>

<u>12-inch</u>						<u>\$2,596.32</u>	<u>\$2,803.68</u>
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- (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 10/31/2022]	[\$6.02]	[\$6.02]	[\$6.02]
	[11/1/2022 to 09/30/2023]	[\$6.50]	[\$6.50]	[\$6.50]
	[10/01/2023 to 09/30/2024]	[\$6.83]	[\$6.83]	[\$6.83]
	[10/01/2024 to 09/30/2025]	[\$7.17]	[\$7.17]	[\$7.17]
	Through [After] 09/30/2026[5]	\$7.53	\$7.53	\$7.53
	<u>10/1/2026-09/30/2027</u>	<u>\$8.13</u>	<u>\$8.13</u>	<u>\$8.13</u>
	<u>After 09/30/2027</u>	<u>\$8.78</u>	<u>\$8.78</u>	<u>\$8.78</u>
Multi-family residential	[Through 10/31/2022]	[\$6.02]	[\$6.02]	[\$6.02]
	[11/1/2022 to 09/30/2023]	[\$6.50]	[\$6.50]	[\$6.50]
	[10/01/2023 to 09/30/2024]	[\$6.83]	[\$6.83]	[\$6.83]
	[10/01/2024 to 09/30/2025]	[\$7.17]	[\$7.17]	[\$7.17]
	Through [After] 09/30/2026[5]	\$7.53	\$7.53	\$7.53
	<u>10/1/2026-09/30/2027</u>	<u>\$8.13</u>	<u>\$8.13</u>	<u>\$8.13</u>
	<u>After 09/30/2027</u>	<u>\$8.78</u>	<u>\$8.78</u>	<u>\$8.78</u>
Commercial	[Through 10/31/2022]	[\$6.02]	[\$6.02]	[\$6.02]
	[11/1/2022 to 09/30/2024 2023]	[\$6.50]	[\$6.50]	[\$6.50]
	[10/01/2023 to 09/30/2024]	[\$6.83]	[\$6.83]	[\$6.83]

	[10/01/2024 to 09/30/2025]	[\$7.17]	[\$7.17]	[\$7.17]
	Through [After] 09/30/2026[5]	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	<u>\$8.13</u>	<u>\$8.13</u>	<u>\$8.13</u>
	After 09/30/2027	<u>\$8.78</u>	<u>\$8.78</u>	<u>\$8.78</u>
County/schools	[Through 10/31/ 2022]	[\$6.02]	[\$6.02]	[\$6.02]
	[11/1/2022 to 09/30/ 2023]	[\$6.50]	[\$6.50]	[\$6.50]
	[10/01/2023 to 09/30/ 2024]	[\$6.83]	[\$6.83]	[\$6.83]
	[10/01/2024 to 09/30/2025]	[\$7.17]	[\$7.17]	[\$7.17]
	Through [After] 09/30/2026[5]	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	<u>\$8.13</u>	<u>\$8.13</u>	<u>\$8.13</u>
	After 09/30/2027	<u>\$8.78</u>	<u>\$8.78</u>	<u>\$8.78</u>

	Consumption May 1 through September 30 (Peak Season)			
	Commodity Rate per 1,000 Gallons			
	Monthly Consumption	9,000 gal or less	over 9,000 gal to 15,000 gal	over 15,000 gal
Single family residential	[Through 10/31/ 2022]	[\$6.02]	[\$6.40]	[\$7.65]
	[11/1/2022 to 09/30/ 2023]	[\$6.50]	[\$7.15]	[\$7.87]
	[10/01/2023 to 09/30/ 2024]	[\$6.83]	[\$7.51]	[\$8.26]
	[10/01/2024 to 09/30/2025]	[\$7.17]	[\$7.89]	[\$8.67]
	Through [After] 09/30/2026[5]	\$7.53	\$8.28	\$9.10
	10/1/2026-09/30/2027	<u>\$8.13</u>	<u>\$8.94</u>	<u>\$9.84</u>
	After 09/30/2027	<u>\$8.78</u>	<u>\$9.66</u>	<u>\$10.62</u>
Multi-family residential	[Through 10/31/ 2022]	[\$6.02]	[\$6.33]	[\$6.47]
	[11/1/2022 to 09/30/ 2023]	[\$6.50]	[\$6.50]	[\$6.50]
	[10/01/2023 to 09/30/ 2024]	[\$6.83]	[\$6.83]	[\$6.83]

	[10/01/2024 to 09/30/2025]	[\$7.17]	[\$7.17]	[\$7.17]
	Through [After] 09/30/2026[5]	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	<u>\$8.13</u>	<u>\$8.13</u>	<u>\$8.13</u>
	After 09/30/2027	<u>\$8.78</u>	<u>\$8.78</u>	<u>\$8.78</u>
Commercial	[Through 10/31/ 2022]	[\$6.02]	[\$6.02]	[\$6.02]
	[11/1/2022 to 09/30/ 2023]	[\$6.50]	[\$6.50]	[\$6.50]
	[09/30/ 2024]	[\$6.83]	[\$6.83]	[\$6.83]
	[10/01/2024 to 09/30/2025]	[\$7.17]	[\$7.17]	[\$7.17]
	Through [After] 09/30/2026[5]	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	<u>\$8.13</u>	<u>\$8.13</u>	<u>\$8.13</u>
	After 09/30/2027	<u>\$8.78</u>	<u>\$8.78</u>	<u>\$8.78</u>
County/schools	[Through 10/31/ 2022]	[\$6.02]	[\$6.02]	[\$6.02]
	[11/1/2022 to 09/30/ 2023]	[\$6.50]	[\$6.50]	[\$6.50]
	[10/01/2023 to 09/30/ 2024]	[\$6.83]	[\$6.83]	[\$6.83]
	[10/01/2024 to 09/30/2025]	[\$7.17]	[\$7.17]	[\$7.17]
	Through [After] 09/30/2026[5]	\$7.53	\$7.53	\$7.53
	10/1/2026-09/30/2027	<u>\$8.13</u>	<u>\$8.13</u>	<u>\$8.13</u>
	After 09/30/2027	<u>\$8.78</u>	<u>\$8.78</u>	<u>\$8.78</u>

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

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

(c) The water consumption rate for non-potable water, including effluent reuse water, shall be [~~\$3.03 per 1,000 gallons for consumption through October 31, 2022, \$3.18 per 1,000 gallons for consumption November 1, 2022 through September 30, 2023, \$3.34 per 1,000 gallons for consumption October 1, 2023 through September 30, 2024, \$3.51 per 1,000 gallons for consumption October 1, 2024 through September 30, 2025, and~~] \$3.69 per 1,000 gallons for consumption through September 30, 2026, \$3.99 per 1,000 gallons for consumption October 1, 2026 through June 30, 2027, and \$4.30 per 1,000 gallons for consumption after June 30, 2027.

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 be [~~\$4.13 per 1,000 gallons for consumption through October 31, 2022, \$4.83 per 1,000 gallons for consumption November 1, 2022 through September 30, 2023, \$5.07 per 1,000 gallons for consumption October 1, 2023 through September 30, 2024, \$5.32 per 1,000 gallons for consumption October 1, 2024 through September 30, 2025, and~~ \$5.59 per 1,000 gallons for consumption through September 30, 2026, \$6.04 per 1,000 gallons for consumption for October 1, 2026 through June 30, 2027, and \$6.52 per 1,00 gallons for consumption after June 30, 2027.
- (c) The customer service charge for water sold and delivered to bulk points of delivery shall be [~~\$778.84 per month per customer for service through October 31, 2022; \$817.78 per month per customer for service November 1, 2022 through September 30, 2023; \$858.67 per month per customer for service October 1, 2023 through September 30, 2024; \$901.60 per month per customer for service October 1, 2024 through September 30, 2025; and~~ \$946.68 per month per customer for service through September 30, 2026, \$1,022.41 per month per customer for service October 1, 2026 through June 30, 2027, and \$1,104.21 per month per customer for service after June 30, 2027.

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.

<u>Service Charge Per Meter Per Month for Snow Making and Irrigation</u>		
<u>Water Meter Size</u>	<u>From 10/1/2026 through 6/30/2027</u>	<u>After 6/30/2027</u>
<u>1-inch and under</u>	<u>\$9.02</u>	<u>\$9.74</u>
<u>1½-inch</u>	<u>\$20.29</u>	<u>\$21.91</u>
<u>2-inch</u>	<u>\$36.06</u>	<u>\$38.94</u>
<u>3-inch</u>	<u>\$81.14</u>	<u>\$87.62</u>

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

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

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 September 30, 2026, \$1,022.41 per month per customer for service October 1, 2026 through June 30, 2027, and \$1,104.21 per month per customer for service after June 30, 2027.
- (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 October 1, 2026 through June 30, 2027, and \$7.80 per 1,000 gallons for consumption after June 30, 2027.

Sec. 40-178. Pajarito Mountain Service Area

The water consumption rate for the Pajarito Mountain “Service Area”, including the Jemez Mountains’ wildfire protection area, for potable water sold and delivered to points of delivery above 8,000 feet in elevation, shall consist of an applicable potable water service charge or irrigation meter charge, and a commercial water consumption charge plus an energy charge. The energy charge rate is \$1.50 per 1,000 gallons of water sold from October 1, 2026 through June 30, 2027, and \$1.50 per 1,000 gallons of water sold after June 30, 2027.

Section 5. Effective Date. This ordinance shall become effective upon adoption with the amended water rates being applied for all billings on or after September 30, 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 29th day of September 2026.

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

**Randall T. Ryti,
Council Chair**

ATTEST: (SEAL)

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