Chapter 13.12 UTILITY RATES AND CHARGES¹

13.12.010 Utility connection charges.

- A. The following fees shall be charged for the connection of municipal water and sewer services:
 - Connection of water lines up to and including three-quarter-inch supply lines shall be at the current adopted rate, plus a fee for paving cuts at the current adopted rate, if required.
 - 2. Connection of water lines larger than three-quarter-inch supply lines shall be assessed on the actual costs incurred by the city in connecting such lines, but no less than the current adopted rate, plus a fee for paving cuts at the current adopted rate, if required.
- B. A new water meter installation charge at the current adopted rate shall be assessed according to the size of the service line.
- C. Gravity sewer connection charges shall be at the current adopted rate. The sewer connection shall be done by a bonded and licensed utilities plumber or city approved contractor and is the responsibility of the account holder up to the edge of the city right-of-way. The city will be responsible for connection to the main sewer within city right-of-way. The account holder's contractor shall coordinate work with the city.
- D. Grinder pump sewer connection charges shall be at the current adopted rate. The grinder pump sewer connection shall be done by the city's approved contractors and is the responsibility of the city for properties located inside city limits.
- E. Grinder pump sewer connection charges shall be at the current adopted rate. The grinder pump sewer connection shall be done by the city's approved contractors and is the responsibility of the property owner for properties located outside the city limits.
- F. When creating a new utility account on a specific property, if an outstanding balance is found, that outstanding balance must be paid in full before establishing the new utility account for that specific property.

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.020 Water rates.

The following water user fees shall be assessed monthly for the amount of water supplied. Where noted, and upon review by the governing body, a utility increase shall take place annually in July.

- A. Single-Family Homes.
 - Rates—Inside City Limits.
 - Zero (0) to three thousand (3,000) gallons shall be at the current adopted rate, plus a four
 (4) percent utility increase per year thereafter.
 - b. Three thousand one (3,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a five (5) percent utility increase per year thereafter.

¹Editor's note(s)—Ord. No. 2018-05, § 1, adopted Sept. 4, 2018, repealed Ch. 13.12 in its entirety and enacted a new Ch. 13.12 to read as set out herein. Former Ch. 13.12, § 13.12.010, pertained to similar subject matter and derived from Ord. No. 2017-13, § 2(Att.), adopted Oct. 16, 2017.

- 2. Rates—Outside City Limits.
 - a. Zero (0) to three thousand (3,000) gallons shall be at the current adopted rate plus a five (5) percent utility increase per year thereafter.
 - b. Three thousand one (3,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a six (6) percent utility increase per year thereafter.
- B. Apartment Complexes, Mobile Home Parks, Multifamily Housing Units. Charges shall be the same for water rates as set forth above and each unit (apartment, mobile home, etc.) shall be charged at least minimum basic rate per housing unit.
- C. Commercial.
 - Rates—Inside City Limits.
 - Zero (0) to three thousand (3,000) gallons shall be at the current adopted rate, plus a four
 (4) percent utility increase per year thereafter.
 - b. Three thousand one (3,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a five (5) percent utility increase per year thereafter.
 - 2. Rates—Outside City Limits.
 - a. Zero (0) to three thousand (3,000) gallons shall be at the current adopted rate plus a five (5) percent utility increase per year thereafter.
 - b. Three thousand one (3,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a six (6) percent utility increase per year thereafter.

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.030 Sewer rates.

The following sewer user fees shall be assessed monthly for the use of the city sewer services. Where noted, a utility increase shall take place annually in July.

- A. Residential Single-Family Homes. The following sewer user fees for single-family homes shall be established by computing the average water use for the months of November through February and applying the average water use to the following rate scale:
 - 1. Rates—Inside City Limits.
 - a. Zero (0) to two thousand (2,000) gallons shall be at the current adopted rate plus a four-point two (4.2) percent utility increase per year thereafter.
 - b. Two thousand one (2,001) gallons and above, shall be the current adopted rate per one thousand (1,000) gallons thereof, plus a four-point two (4.2) percent utility increase per year thereafter.
 - Rates—Outside City Limits.
 - a. Zero (0) to two thousand (2,000) gallons shall be at the current adopted rate, plus four-point two (4.2) percent utility increase per year thereafter.
 - b. Two thousand one (2,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a four-point two (4.2) percent utility increase per year thereafter.
 - c. Grinder pump usage shall be charged at the current adopted rate, plus a five (5) percent utility increase per year thereafter.

If actual water use measurements are unavailable, this value shall be at the current adopted rate on the basis of expected water use for the single-family home being served.

- B. Commercial and Multifamily Housing Units. The following sewer user fees for account holders shall be established by determining the actual value of water used per month and applying the actual monthly water use to the following sewer rate scale:
 - 1. Commercial Rates—Inside City Limits.
 - a. Zero (0) to two thousand (2,000) gallons, shall be at the current adopted rate, plus a four-point two (4.2) percent utility increase per year thereafter.
 - b. Two thousand one (2,001) gallons and above, shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a four-point two (4.2) percent utility increase per year thereafter.
 - Commercial Rates—Outside City Limits.
 - a. Zero (0) to two thousand (2,000) gallons shall be at the current adopted rate, plus a four-point two (4.2) percent utility increase per year thereafter.
 - b. Two thousand one (2,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus four-point two (4.2) percent utility increase per year thereafter.
 - c. Initial grinder pump usage and additional grinder pump units per dwelling shall be charged at the current adopted rate, plus a five (5) percent utility increase per year thereafter.
 - d. The fee per dwelling shall be charged at the current adopted rate, plus a five (5) percent utility increase per year thereafter.
 - 3. Multiple Residential Rates—Inside City Limits.
 - a. Zero (0) to two thousand (2,000) gallons shall be at the current adopted rate, plus a four-point two (4.2) percent utility increase per year thereafter.
 - b. Two thousand one (2,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a four-point two (4.2) percent utility increase per year thereafter.
 - 4. Multiple Residential Rates—Outside City Limits.
 - a. Zero (0) to two thousand (2,000) gallons shall be at the current adopted rate, plus a four-point two (4.2) percent utility increase per year thereafter.
 - b. Two thousand one gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a four-point two (4.2) percent utility increase per year thereafter.
 - c. Grinder pump usage shall be charged at the current adopted rate, plus a five (5) percent utility increase per year thereafter.
 - d. The fee per dwelling shall be charged at the current adopted rate, plus a five (5) percent utility increase per year thereafter.
 - 5. Institutional Establishments.
 - a. Zero (0) to two thousand (2,000) gallons shall be at the current adopted rate, plus a four-point two (4.2) percent utility increase per year thereafter.

- b. Two thousand one (2,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a four-point two (4.2) percent utility increase per year thereafter.
- c. Grinder pump usage shall be charged at the current adopted rate, plus a five (5) percent utility increase per year thereafter.
- 6. Industrial Organization.
 - a. Zero (0) to two thousand (2,000) gallons shall be at the current adopted rate, plus a four-point two (4.2) percent utility increase per year thereafter.
 - b. Two thousand one (2,001) gallons and above shall be at the current adopted rate per one thousand (1,000) gallons thereof, plus a four-point two (4.2) percent utility increase per year thereafter.
 - c. Grinder pump usage shall be charged at the current adopted rate, plus a five (5) percent utility increase per year thereafter.

If actual use measurements are unavailable, this value shall be at the current adopted rate on the basis of expected water use for the building(s) being served.

C. Industrial Surcharge. Pursuant to chapter 13.04, an industrial surcharge shall be assessed against persons discharging industrial liquid wastes that are of greater strength than normal untreated domestic wastewater, as defined in subsection 13.04.120(D). This surcharge shall be computed according to subsection 13.04.120(D).

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.040 Additional assessments.

Additional assessments per meter shall be charged as follows:

- A. Fire hydrant charge shall be at the current adopted rate per meter, per month.
- B. Charge for revenue bond for principal and interest shall be at the current adopted rate per meter per month.
- C. Fees for bulk fire hydrant water use.
 - 2. Commercial Hydrant User.
 - a) Zero (0) to one thousand (1,000) gallons shall be at the current adopted rate minimum plus a four-point five (4.5) percent increase per year thereafter.
 - b) Monthly rental fee at the current adopted rate shall be assessed monthly plus a four-point five (4.5) percent utility increase per year thereafter.
 - c) A deposit at the current adopted rate shall be assessed upon issuance of a hydrant meter for commercial use within city limits.
 - d) Failure to obtain a hydrant meter will result in a fine at the current adopted rate.
 - e) The commercial user shall be required to report meter readings to the water department every month by the twentieth (20th) day. Failure to report readings on a monthly basis shall result in a fine assessed at the current adopted rate.
- D. Service Calls.

- A service charge shall be assessed at the current adopted rate, whenever a water technician is
 dispatched at the account holder's request. After hours, weekend and holiday rates shall apply at
 the current adopted rate.
 - a. Turn water service on or off.
 - b. Meter reading verification. If the verification is in favor of the account holder, then the fee shall be waived.
 - c. Leak check. If it is determined that the leak is on the city's side of the water meter, then the fee shall be waived.
 - d. Sewer backups. If it is determined that the sewer issue is within the city's line, then the fee shall be waived.

E. Trash Service.

1. All municipal solid waste services shall be assessed at the current adopted rate and a rate increase of three (3%) percent shall take place annually in July.

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.050 Utility deposits.

- A. Utility deposits on owner occupied residential property shall be at the current adopted rate upon showing proof of ownership.
- B. Utility deposits on non-owner occupied residential property shall be at the current adopted rate.
- C. Utility deposits on commercial property shall be at the current adopted rate.
- D. Utility deposits shall remain on account until such time that the utility account is closed and paid in full.
- E. All accounts shall indicate the primary account holder as the owner of the real property. Non-owner occupied property accounts may have a secondary account holder.

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.060 Lien rights.

The city shall be authorized to file a lien against real property which has received utility services and on which the charges are delinquent for sixty (60) days or more. This lien is subject to foreclosure to satisfy the account, costs incurred, and attorney fees.

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.070 Return payment fee.

All returned payments shall result in an additional service charge of thirty-five dollars (\$35.00) per returned payment.

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.080 Tampering and damage to meters or city-owned utilities fees.

- A. Tampering is when the account holder turns on a utility without authorization or direct connecting water service without a water meter. Any individual caught tampering with a city meter and/or property will be referred to the police department for court proceedings, pursuant to a criminal damage to property charge.
- B. Any intentional damage occurring to a water meters or city utility equipment shall be paid for by the account holder of the property upon which damages occur, including the cost of labor, parts and materials.

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.090 Delinquent accounts.

Bills for utility services shall be provided to account holders each month. A bill is due on the tenth day of each month and shall become delinquent upon the tenth day after the due date (with the exception of holidays and weekends) of the billing cycle succeeding the month in which the water service was furnished. If a delinquent bill is not paid within thirty (30) days after becoming due, water service to the property shall be shut off.

If a delinquent bill for an account holder is not paid within thirty (30) days after becoming due, the amount due, including all delinquent payment charges, shall be provided to the primary account holder for immediate payment.

- A. Reconnection of services following disconnection due to delinquency, shall be assessed a charge at the current adopted rate.
- B. Reinstallation of a water meter following removal shall be assessed a charge at the current adopted rate.
- C. No utility service shall be reconnected until charges are paid in full by cash, cashier's check, credit cards, or money order only.
- D. All fees shall be the responsibility of the primary account holder.

(Ord. No. 2018-05, § 1, 9-4-2018; Ord. No. 2020-01, 2-3-2020)

13.12.100 Payment agreements.

- A. The city's utility department and the secondary account holder may enter into an agreement regarding the payment of a delinquent bill. The city of Belen shall also notify the primary account holder of the agreement and is subject to the property owner's written approval.
- B. Service will not be discontinued if the account holder pays eighty (80%) percent of the outstanding bill upon signing the payment agreement.
- C. The utility department is not required to enter into a payment agreement with a chronically delinquent account holder.
- D. A payment agreement does not relieve an account holder from the obligation to pay future bills on a current basis.
- E. If a customer fails to comply with a payment agreement, the utility department shall discontinue service.

(Ord. No. 2018-05, § 1, 9-4-2018)

13.12.110 Rates, fees and charges for city services.

All utility rates, fees and charges for city services shall be adopted by the city governing body via resolution, and will be made part of this chapter and referred to as Appendix A.

(Ord. No. 2018-05, § 1, 9-4-2018; Amendment of 7-1-2022)

Dorothy Flores, CMC

PASSED, APPROVED and ADOPTED this 15th day of July 2024

Robert C. Noblin, Mayor

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APPENDIX A UTILITY RATES AND CHARGES (Chapter 13.12)

UTILITY CONNECTION CHARGES (13.12.0		=
Water Line Tap Fee	Charge	
¾-inch line	\$1,200.00	
1-inch line	\$1,250.00	
1½-inch line	\$1,250.00	
2-inch line	\$1,750.00	
3-inch line	\$3,450.00	
4-inch line	\$4,750.00	
6-inch line	\$6,750.00	
New Meter Installation	Charge	j
¾-inch meter	\$160.00	
1-inch meter	\$280.00	
1½-inch meter	\$730.00	
2-inch meter	\$800.00	
3-inch meter	\$1,250.00	
4-inch meter	\$3,750.00	
6-inch meter	\$5,400.00	
Sewer Line Tap Fee	Charge	
All	\$525.00	
Paving Cuts	Charge	
All	\$175.00	

Residential Single-Family	Homes			
Inside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0—3,000 gallons	\$30.40	4%	\$31.62	
3,001-6,000 gallons	\$4.66	5%	\$4.89	
6,001-10,000 gallons	\$5.25	5%	\$5.51	
10,001-25,000 gallons	\$5.88	5%	\$6.17	
Over 25,001 gallons	\$6.57	5%	\$6.90	
Outside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0—3,000 gallons	\$64.35	5%	\$67.57	
3,001—6,000 gallons	\$6.77	6%	\$7.18	
6,001—10,000 gallons	\$7.23	6%	\$7.66	
10,001-25,000 gallons	\$7.82	6%	\$8.29	
Over 25,001 gallons	\$8.45	6%	\$8.96	

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(Supp. No. 28, 4-23)

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Inside City Limits Rate 7/1/23-24		Increase Percentage	New Rate 7/1/24-25	
Base rate 0—3,000	\$30.40	4%	\$31.62	
gallons				
3,001—6,000 gallons	\$4.66	5%	\$4.89	
6,001—10,000 gallons	\$5.25	5%	\$5.51	
10,001—25,000 gallons	\$5.88	5%	\$6.17	
Over 25,001 gallons	\$6.57	5%	\$6.90	
Outside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base Rate 0—3,000 gallons	\$64.35	5%	\$67.57	
3,001—6,000 gallons	\$6.77	6%	\$7.18	
6,001—10,000 gallons	\$7.23	6%	\$7.66	
10,001—25,000 gallons	\$7.82	6%	\$8.29	
Over 25,001 gallons	\$8.45	6%	\$8.96	
Commercial Properties				
Inside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0—3,000 gallons	\$30.40	4%	\$31.62	
3,001—6,000 gallons	\$4.66	5%	\$4.89	
6,001—10,000 gallons	\$5.25	5%	\$5.51	
10,001—25,000 gallons	\$5.88	5%	\$6.17	
25,001—40,000 gallons	\$6.57	5%	\$6.90	
40,001—100,000 gallons	\$8.14	5%	\$8.55	
Over 100,001 gallons	\$8.78	5%	\$9.22	
Outside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0-3,000 gallons	\$64.35	5%	\$67.57	
3,001—6,000 gallons	\$7.81	6%	\$8.28	
6,001—10,000 gallons	\$8.08	6%	\$8.56	
10,001—25,000 gallons	\$8.37	6%	\$8.87	
25,001-40,000 gallons	\$8.97	6%	\$9.51	
40,001—100,000 gallons	\$9.28	6%	\$9.84	
Over 100,001 gallons	\$9.64	6%	\$10.22	
Bulk Fire Hydrant User/Co	ntractor use only			
Usage	Rate Fee 7/1/23-24	Increase Percentage	New rate 7/1/24-25	
Base rate 0—1,000 gallons	\$137.39	10%	\$151.13	
Over 1,001 gallons	\$10.23	8%	\$11.05	
Bulk Fire Hydrant Meter R				
Usage	Fee	Increase Percentage	New Rate 7/1/24-25	
Deposit for meter	\$950.00			
Monthly rental	\$485.18	10%	\$533.70	
er 1,000 gallons used \$10.23		8%	\$11.05	

Failure to report readings	\$250.00	THE RESERVE THE PROPERTY OF TH
fine		

Residential Single-Family I	lomes			
Inside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0-2,000 gallons	\$36.88	4.2%	\$38.43	
Over 2,001 gallons	\$5.15	4.2%	\$5.37	
Outside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0-2,000 gallons	\$41.12	4.2%	\$42.85	
Over 2,001 gallons	\$7.42	4.2%	\$8.20	
Grinder pump system (1 max)	\$53.61	5%	\$56.29	
Multifamily Housing	Part of the state of			
Inside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0-2,000 gallons	\$36.88	4.2%	\$38.43	
Over 2,001 gallons	\$5.15	4.2%	\$5.37	
Outside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0-2,000	\$41.12	4.2%	\$42.85	
Over 2,001 gallons	\$7.87	4.2%	\$8.20	
Grinder pump system (per unit)	\$53.61	5%	\$56.29	
Fee per dwelling unit	\$36.12	5%	\$37.93	
Commercial Units				
Inside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0-2,000 gallons	\$36.88	4.2%	\$38.43	
Over 2,001 gallons	\$5.15	4.2%	\$5.37	
Outside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-2	
Base rate 0-2,000 gallons	\$41.12	4.2%	\$42.85	
Over 2,001 gallons	\$7.87	4.2%	\$8.20	
Grinder pump system (initial unit)	\$53.61	5%	\$56.29	
Grinder pump system (per additional unit)	\$47.02	5%	\$49.37	
Fee per commercial dwelling unit	\$36.12	5%	\$37.93	
Institutional Establishmen	ts			
Inside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Base rate 0-2,000 gallons	\$36.20	4.2%	\$37.78	
Over 2,001 gallons	\$6.74	4.2%	\$7.02	
Outside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25	
Grinder pump system (per unit)	\$335.02	5%	\$351.77	

Industrial Organizations			
Inside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25
Base rate 0-2,000 gallons	\$36.20	4.2%	\$37.72
Over 2,001 gallons	\$6.74	4.2%	\$7.14
Outside City Limits	Rate 7/1/23-24	Increase Percentage	New Rate 7/1/24-25
Grinder pump system	\$335.02	5%	\$351.77
(per unit)			

ADDITIONAL ASSESSMENTS (13.12.040)	
Service Call	
Description	Fee
Regular business hours call	\$25.00
After hours/holiday call	\$50.00
Utility Deposits/Fees	
Description	Fee
Meter deposits (owner occ. res)	\$50.00
Meter deposits (owner no-occ. res)	\$100.00
Commercial/institutional/industrial	\$125.00
Return payment fee	\$35.00
Delinquent Accounts	
Description	Fee
Reconnect fee (per delinquency)	\$50.00
Reinstallation fee (per meter)	\$200.00

	LECTIONS KA	TES (8.02.160)					
Polycart Fees							
Description	Rate 7/1/23	3-24	Increase Pe	rcentage	New Rate 7	7/1/24-25	
Polycart residential	\$33.22		3%	3%		\$34.22	
Extra cart (residential)	\$11.13		3%	3%		\$11.50	
Commercial	\$41.99		3%	3%		\$43.19	
Extra cart (commercial)	\$41.99		3% \$43.19		\$43.19		
Dumpster Size	and Pick Up	Fees				0.0	
New Rate 3% 7/1/24- 25	1 Yard	2 Yard	3 Yard	4 Yard	6 Yard	8 Yard	
1	\$112.68	\$112.68	\$137.35	\$162.03	\$211.38	\$260.73	
2	\$162.03	\$162.03	\$211.94	\$260.73	\$359.44	\$454.49	
3		\$211.38	\$285.41	\$359.44	\$507.47	\$655.52	
4		\$260.72	\$359.44	\$458.10	\$652.66	\$852.90	
5		\$310.07	\$471.54	\$557.62	\$920.65	\$1050.29	
6	No. of the last					\$1247.52	

Belen, New Mexico, Code of Ordinances

(Supp. No. 28, 4-23)

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Compactor Siz	ze and Pick Up Fees					
New Rate 3% 7/1/24- 25			4 Yard	6 Yard		
1			\$238.70	\$565.03		
2			\$756.97	\$1,120.08		
3			\$1,126.74	\$1,637.87		
4			\$1,476.28	\$2,070.19		
5			\$1,756.00	\$2,553.04		
Additional Ga	rbage Fees with Increase					
Description	Rate 7/1/23-24	Increase F	Increase Percentage		New Rate 7/1/24-25	
Special pick up (city fee)	\$28.78	5%		\$30.21		
Large/bulk item pick up (city fee)	\$41.99	5%		\$44.08		
Additional Ga	rbage Fees	-18-2	TOTAL STREET	والتجييون		
Description					Fee	
Deposit for garbage service only					\$60.00	
Missed pick up/go back					\$8.39	
Lost/stolen/ damaged trash cart					\$75.00	

Initial Fee		
Description	Fee	
Registration fee	\$25.00	
Non-Compliance Fees		76
Description	Fee	
Failure to comply—Chapter 15 (per day)	\$100.00	
Failure to register (1st offense)	Written warning	
Failure to register (2nd offense) 90 day	\$300.00	
Filing a material false statement	\$500.00	
Appeal fee	\$100.00	

(Ord. 2012-02; Ord. 2013-01; Ord. 2013-02; Memo of 3-18-2016; Ord. No. 2016-08, §§ 2—8, 11-21-2016; Ord. No. 2020-01, 2-3-2020; Ord. No. 2020-03, 2-3-2020; Ord. No. 2022-05, 5-16-2022; Amendment of 7-1-2022)