

CITY OF HOBBS

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING CHAPTERS 13.04 AND 13.08  
OF THE HOBBS MUNICIPAL CODE  
RELATING TO WATER AND SEWER SERVICE

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the following Sections of Chapter 13.04 and 13.08 of the Hobbs Municipal Code are amended as follows:

Chapter 13.04

WATER SERVICE SYSTEM

Sections:

- 13.04.010 Applicability of article to consumers inside and outside City limits.
- 13.04.020 Monthly water rates--Definitions.
- 13.04.030 Monthly water rates--Schedule.
- 13.04.040 Charges for delinquent accounts--Field service calls.
- 13.04.050 Charge for non-emergency service calls beyond normal working hours, holidays or on weekends.
- 13.04.060 Discontinuance and reinstatement of service generally.
- 13.04.070 Deposits for opening, transferring or reinstating water accounts.
- 13.04.080 Water meter and lateral installation charges and sewer lateral installation charges.
- 13.04.090 Temporary and special meter deposits--Additional charges for temporary meters.
- 13.04.100 Fire hydrant installation charges.
- 13.04.110 Additional charges for testing meter, when found in proper condition.
- 13.04.120 Certain charges designated lien on property--Enforcement of lien generally.
- 13.04.130 Additional regulations not contained in chapter.
- 13.04.140 Appropriation of funds.

13.04.??? Water Connections -- Extension of water distribution facilities - Connections with extensions required - Assessment and collection of costs of extensions.

The City may, after the City Commission so determines, extend its water distribution facilities, and owners of the property, with improvements thereon, within one hundred fifty (150) feet of such sewer lines shall be required to install proper plumbing and connect with the water distribution lines, with such construction costs to be borne by the property owners.

The cost of water distribution line extensions shall be assessed against the property benefited, on the basis of front foot benefited in relation to the actual cost of construction of the whole extension.

For nonpayment of water distribution extension costs, the City may collect by the following methods:

A. If the owner of the property so benefited by the water distribution line extension does not pay such assessment, without notice, within thirty (30) days from completion of the extension, the City shall impose a lien against the property so benefited, and the lien shall draw interest at six percent per annum from the date of lien to the date of payment, which lien shall be coequal with the lien of other taxes and prior and superior to all other liens.

It shall be the duty of the City Clerk to make out, sign, attest with the City seal and file for record with the County Clerk a claim for lien for the amount due and assessed for each lot and parcel of land.

If such assessment with interest is not paid within one year from the date of filing, the City may, at its option, foreclose its lien against the owner and the property as named in the lien, as provided by law for the foreclosure of municipal liens, for the unpaid amount of the assessment, interest and attorney's fee.

B. If payment for any charge imposed by the City for services is not paid within thirty (30) days from the date payment is due, water services may be discontinued and not again be supplied until the arrears, with interest and a penalty for disconnecting and reconnecting the meter, has been fully paid. If the City deems it necessary, the water meter may be removed, and a reinstallation fee shall be charged.

13.04.??? Connections required for property adjacent to water distribution lines.

All places of human habitation within the City that are located on property adjacent to streets or alleys where water distribution lines are laid shall be equipped with proper plumbing and connected with the water distribution system.

### 13.08.??? Water Wells

All water wells located on premises or property connected to the City's water distribution system shall be properly plugged and abandoned per NMED rules and regulations. It is unlawful for the owner of any premises, whether or not such premises are connected to the City's water distribution system, to allow any water well to remain improperly plugged and abandoned.

### 13.04.020 Monthly water rates--Definitions.

For the purposes of Section 13.04.030, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Bulk Water Consumer" means any user or consumer that loads and transports water from a City owned and operated bulk water station for personal use, construction or re-sale. The City of Hobbs Utilities Division shall maintain and operate a bulk water station at the Wastewater Treatment Plant and at other specific locations within the City as directed by the City Commission. Such bulk water stations shall supply water to Bulk Water Consumers.

"Commercial Consumer" means any non-municipal user or consumer engaging in business operating, conducting, doing, carrying on, causing to be carried on or pursuing any business, profession, occupation, trade, or pursuit for the purpose of profit and who are required to obtain a State taxpayer identification number, including any two or more dwellings/living units connected to one meter, and whose property is situated within the corporate boundaries of the City of Hobbs.

~~"Commercial Multi-Unit Residential Consumer" means any user or consumer of service for any specific property or facility that is served through a single master meter and used solely for domestic purposes as a multiple unit, multiple family, residential dwelling. This includes, but is not limited to, mobile home parks, apartment complexes, town homes, duplexes, etc., with two or more completely separate dwelling units. This does not include hotels, motels, boarding houses, bed and breakfast establishments, etc.~~

“Domestic Consumer” means a single-family residence user or consumer whose property is situated within the corporate boundaries of the City of Hobbs.

“Industrial Consumer” means any non-municipal user or consumer engaging in business operating, conducting, doing, carrying on, causing to be carried on, or pursuing any business, profession, occupation, trade or pursuit and whose property is situated within the corporate limits of the City of Hobbs and discharges or has the potential to discharge waste from any industrial, manufacturing, food processing or any other type of activity or processing operation into the sanitary sewer system.

“Irrigation Consumer” means any user or consumer of water whose property is situated within the corporate boundaries of the City of Hobbs for the sole purpose of watering landscaping, lawns or turfs. An irrigation consumer shall have a separate water meter and tap for the sole purpose of watering landscaping, lawns or turfs and shall not discharge any of such water to the wastewater collection system (sanitary sewer).

“Municipal Consumer” means any user or consumer that is a division or part of the Municipal Government.

“Outside City Commercial Consumer” means any non-municipal user or consumer engaging in business operating, conducting, doing, carrying on, causing to be carried on or pursuing any business, profession, occupation, trade or pursuit for the purpose of profit and who are required to obtain a State taxpayer identification number and whose property is situated outside the corporate boundaries of the City of Hobbs.

~~“Outside City Commercial Multi-Unit Residential Consumer” means any user or consumer of service for any specific property or facility that is served through a single master meter and used solely for domestic purposes as a multiple unit, multiple family, residential dwelling. This includes, but is not limited to, mobile home parks, apartment complexes, town homes, duplexes, etc., with two or more completely separate dwelling units. This does not include hotels, motels, boarding houses, bed and breakfast establishments, etc.~~

“Outside City Domestic Consumer” means a single-family residence user or consumer whose property is situated outside the corporate boundaries of the City of Hobbs.

“Outside City Industrial Consumer” means any non-municipal user or consumer engaging in business operating, conducting, doing, carrying on, causing to be carried on, or pursuing any business, profession, occupation, trade or pursuit and whose property is situated outside the corporate limits of

the City of Hobbs and discharges or has the potential to discharge waste from any industrial, manufacturing, food processing or any other type of activity or processing operation into the sanitary sewer system.

“Outside City Irrigation Consumer” means any user or consumer of water whose property is situated outside the corporate boundaries of the City of Hobbs for the sole purpose of watering landscaping, lawns or turfs. An irrigation consumer shall have a separate water meter and tap for the sole purpose of watering landscaping, lawns or turfs and shall not discharge any of the water to the wastewater collection system (sanitary sewer).

13.04.030 Monthly water rates--Schedule.

The monthly rates charged to consumers for the use of City water shall be as follows:

A. Minimum Monthly Rates--Domestic, Commercial, ~~Commercial Multi-Unit Residential~~, Municipal, Industrial and Irrigation Accounts.

1. Minimum Monthly Rates:

Meter Size	Minimum Monthly Charge	
5/8" meter	First 2,000 gallons or less	\$6.50
1" meter	First 2,000 gallons or less	\$9.10
2" meter	First 2,000 gallons or less	\$18.85
3" meter	First 2,000 gallons or less	\$71.50
4" meter	First 2,000 gallons or less	\$91.00
6" meter	First 2,000 gallons or less	\$136.50
8" meter	First 2,000 gallons or less	\$188.50

2. Additional Charge Per Month Per One Thousand (1,000) Gallons of Usage Over Minimum.

a. Domestic Accounts:

Range of Usage	Charge Within This Range
2,001--10,000	\$ 1.00
10,001--25,000	\$ 1.10
25,001--50,000	\$ 1.20
50,001--100,000	\$ 1.30
Above 100,000	\$ 1.45

b. Commercial Accounts:

Range of Usage	Charge Within This Range
2,001--10,000	\$ 1.00
10,001--25,000	\$ 1.10
25,001--50,000	\$ 1.20
50,001--100,000	\$ 1.30
Above 100,000	\$ 1.45

~~c. Commercial Multi-Unit Residential Accounts:~~

<del>Range of Usage</del>	<del>Charge Within This Range</del>
<del>2,001--10,000</del>	<del>\$ 1.00</del>
<del>10,001--25,000</del>	<del>\$ 1.10</del>
<del>25,001--50,000</del>	<del>\$ 1.20</del>
<del>50,001--100,000</del>	<del>\$ 1.30</del>
<del>Above 100,000</del>	<del>\$ 1.45</del>

cd. Municipal Accounts:

Range of Usage	Charge Within This Range
2,001--10,000	\$ 1.00
10,001--25,000	\$ 1.10
25,001--50,000	\$ 1.20
50,001--100,000	\$ 1.30
Above 100,000	\$ 1.45

de. Industrial Accounts:

Range of Usage	Charge Within This Range
2,001--10,000	\$ 1.00
10,001--25,000	\$ 1.10
25,001--50,000	\$ 1.20
50,001--100,000	\$ 1.30
Above 100,000	\$ 1.45

ef. Irrigation Accounts:

Range of Usage	Charge Within This Range
2,001--10,000	\$ 1.20
10,001—25,000	\$ 1.20
25,001—50,000	\$ 1.20
50,001—100,000	\$ 1.30

Range of Usage	Charge Within This Range
Above 100,000	\$ 1.45

B. Minimum Monthly Rates—Outside City Domestic, Commercial, ~~Commercial Multi-Residential~~, Industrial and Irrigation Accounts.

1. Minimum Monthly Rates:

Meter Size	Minimum Monthly Charge	
5/8" meter	First 2,000 gallons or less	<del>\$8.12</del>
		\$9.75
1" meter	First 2,000 gallons or less	<del>\$11.37</del>
		\$13.65
2" meter	First 2,000 gallons or less	<del>\$23.56</del>
		\$28.43
3" meter	First 2,000 gallons or less	<del>\$89.37</del>
		\$107.25
4" meter	First 2,000 gallons or less	<del>\$113.75</del>
		\$136.50
6" meter	First 2,000 gallons or less	<del>\$170.62</del>
		\$204.75
8" meter	First 2,000 gallons or less	<del>\$235.62</del>
		\$282.75

2. Additional Charge Per Month Per One Thousand (1,000) Gallons of Usage Over Minimum.

a. Outside City Domestic Accounts:

Range of Usage	Charge Within This Range
2,001—10,000	<del>\$ 1.25</del> \$ 1.50
10,001—25,000	<del>\$ 1.37</del> \$ 1.65
25,001—50,000	<del>\$ 1.50</del> \$ 1.80
50,001—100,000	<del>\$ 1.62</del> \$ 1.95
Above 100,000	<del>\$ 1.81</del> \$ 2.18

b. Outside City Commercial Accounts:

Range of Usage	Charge Within This Range
2,001—10,000	<del>\$ 1.25</del> \$ 1.50
10,001—25,000	<del>\$ 1.37</del> \$ 1.65

Range of Usage	Charge Within This Range
25,001—50,000	<del>\$ 1.50</del> \$ 1.80
50,001—100,000	<del>\$ 1.62</del> \$ 1.95
Above 100,000	<del>\$ 1.84</del> \$ 2.18

~~c.~~ Outside City Commercial Multi-Unit Residential Accounts:

Range of Usage	Charge Within This Range
<del>2,001—10,000</del>	<del>\$ 1.25</del>
<del>10,001—25,000</del>	<del>\$ 1.37</del>
<del>25,001—50,000</del>	<del>\$ 1.50</del>
<del>50,001—100,000</del>	<del>\$ 1.62</del>
<del>Above 100,000</del>	<del>\$ 1.84</del>

~~cd.~~ Outside City Industrial Accounts:

Range of Usage	Charge Within This Range
<del>2,001—10,000</del>	<del>\$ 1.25</del> \$ 1.50
<del>10,001—25,000</del>	<del>\$ 1.37</del> \$ 1.65
<del>25,001—50,000</del>	<del>\$ 1.50</del> \$ 1.80
<del>50,001—100,000</del>	<del>\$ 1.62</del> \$ 1.95
<del>Above 100,000</del>	<del>\$ 1.84</del> \$ 2.18

~~de.~~ Outside City Irrigation Accounts:

Range of Usage	Charge Within This Range
<del>2,001—10,000</del>	<del>\$ 1.50</del> \$ 1.80
<del>10,001—25,000</del>	<del>\$ 1.50</del> \$ 1.80
<del>25,001--50,000</del>	<del>\$ 1.50</del> \$ 1.80
<del>50,001--100,000</del>	<del>\$ 1.62</del> \$ 1.95
<del>Above 100,000</del>	<del>\$ 1.84</del> \$ 2.18

C. Minimum Monthly Rates--Bulk Water Accounts.

1. Minimum Monthly Rates:

Minimum Monthly Charge	
First 1,000 gallons or less	\$ 6.67

All usage over and above the minimum one thousand (1,000) gallons shall be billed at a rate of sixty-seven cents (\$0.67) per one hundred (100) gallons loaded.

D. Automatic Cost of Service Increase. All service and usage charges detailed in this section shall be subject to an automatic three percent per annum cost of service increase effective each September 1<sup>st</sup> provided, however, such increase shall be subject to review by the City of Hobbs Utilities Board on a yearly basis in May pursuant to a cost of service study to be provided to the Utilities Board by the Utilities Director. At such time, the City of Hobbs Utilities Board shall either endorse such three percent increase or make appropriate recommendations to the Hobbs City Commission. Such review and recommendation shall be conducted during the annual budget preparation process of the City of Hobbs.

13.04.040 Charges for delinquent accounts--Field service calls.

The following charges shall be made to water consumers delinquent in their accounts for the specified service calls:

- A. Disconnect and reconnect for non-payment. \$30.00  
A delinquent account charge or late charge is applied at the time an account becomes subject to disconnection for non-payment.
- B. Charge for tampering with utility services, water meters, City padlocks and/or appurtenances requiring the removal of the water meter for non-payment. Consumers shall be billed the actual cost of any repairs and/or replacement of damaged appurtenances and the costs thereof shall be included as an additional charge on the consumer's next utility bill. \$50.00
- C. Charge for additional tampering with utility services, water meters, City padlocks and/or appurtenances. If the water meter has been removed due to tampering with utility services and non-payment, and evidence of further tampering with the utility service is discovered, an additional tampering charge will be added to the delinquent account. Consumers shall be billed the actual cost of any repairs and/or replacement of damaged appurtenances and the costs thereof shall be included as an additional charge on the consumer's next utility bill. \$50.00

13.04.050 Charge for non-emergency service calls beyond normal working hours, holidays or on weekends.

Except for emergency repairs, there will be a charge of fifty dollars (\$50.00) for all service calls beyond normal working hours, on holidays or on weekends. This fee shall be in addition to any and all other service charges incurred, i.e. disconnect, reconnect, installations, etc.

13.04.060 Discontinuance and reinstatement of service generally.

A. Water service may be discontinued when the charges therefore remain unpaid for thirty (30) days after the billing date or at the consumer's request.

B. Service may be discontinued and meters may be removed from the service location for the following reasons:

1. Nonpayment of account;
2. Meters found to be tampered with, abused or misused by the consumer;
3. Service has been discontinued ("not in use") for a period of three consecutive months.
4. Any damage to City water distribution system appurtenances, including City padlocks, water meters, meter boxes, service laterals, etc. Repair and replacement of any damaged water distribution system appurtenances shall be the responsibility of the consumer. Consumers shall be billed the actual cost of any repairs and/or replacement of damaged appurtenances and the costs thereof shall be included as an additional charge on the consumer's next utility bill.

C. For reinstating service. If the service lateral is unusable, the consumer must pay for a new water meter, if required, and the installation of a new tap and lateral. A charge of twenty dollars (\$20.00) shall be required for reinstating the meter.

D. If the service lateral cannot be located or if the lateral has been abandoned by the City or is in an unusable location, the consumer must pay for a new water meter, if required, and a new tap and lateral installation, plus twenty dollars (\$20.00) for reinstating the meter.

E. When property fronts on a main subject to frontage line charges, the consumer must pay a twenty dollar (\$20.00) meter reinstatement charge, plus:

1. The frontage line charge;
2. The cost of installing the meter, tap and lateral if required.

F. The City reserves the right to change the size of the meter to conform to the rates and rules.

13.04.070 Deposits for opening, transferring or reinstating water accounts.

Consumers wishing to open or to reinstate accounts shall make the following deposits:

A. Domestic Consumer:

Water Meter Size	Deposit
5/8" meter	\$ 30.00
1" meter	\$ 30.00
2" meter	\$ 50.00
3" meter	\$ 75.00
4" meter	\$ 100.00
6" meter or larger; the actual meter cost plus the deposit	\$ 200.00

B. Commercial and Industrial Consumer:

Water Meter Size	Deposit
5/8" meter	\$ 30.00
1" meter	\$ 30.00
2" meter	\$ 50.00
3" meter	\$ 75.00
4" meter	\$ 100.00
6" meter or larger; the actual meter cost plus a deposit	\$ 200.00

C. The City reserves the right to increase a consumer's deposit when a transfer request has been made by the consumer.

D. Such deposits shall be in addition to the reinstatement charge provided for in Section 13.04.060.

## Chapter 13.08

### SEWER SERVICE SYSTEM

#### Sections:

#### Article 1. General Provisions

13.08.005 Sale of industrial process water.

13.08.010 Additional sewer service policies not included in chapter.

#### Article 2. Sewer Connections

13.08.020 Extension of sewer facilities--Connections with extensions required--Assessment and collection of costs of extensions.

13.08.030 Connections required for property adjacent to sewers.

13.08.040 Property not adjoining sewers to connect with septic tanks.

13.08.050 Septic tanks not in use.

13.08.060 Use of buildings not connected with sewers or septic tanks.

13.08.070 Unconnected places of human habitation and unfilled septic tanks not in use declared nuisances.

13.08.080 Open pit toilets.

#### Article 3. Sewer Rates and Charges

13.08.090 Monthly sewer rates--Definitions.

13.08.100 Monthly sewer rates--Schedule.

13.08.110 When charges due and payable--Lien.

13.08.120 Deposits for opening, transferring or reinstating sewer accounts.

#### Article 2. Sewer Connections

13.08.20 Extension of sewer facilities--Connections with extensions required—Assessment and collection of costs of extensions.

The City may, after the City Commission so determines, extend its sanitary sewer facilities, and owners of the property, with improvements thereon, within one hundred fifty (150) feet of such sewer lines shall be required to install proper plumbing and connect with the sewer lines, with such construction costs to be borne by the property owners.

The cost of sewer line extensions shall be assessed against the property benefited, on the basis of front foot benefited in relation to the actual cost of construction of the whole extension.

For nonpayment of sewer extension costs, the City may collect by the following methods:

A. If the owner of the property so benefited by the sewer line extension does not pay such assessment, without notice, within thirty (30) days from completion of the extension, the City shall impose a lien against the property so benefited, and the lien shall draw interest at six percent per annum from the date of lien to the date of payment, which lien shall be coequal with the lien of other taxes and prior and superior to all other liens.

It shall be the duty of the City Clerk to make out, sign, attest with the City seal and file for record with the County Clerk a claim for lien for the amount due and assessed for each lot and parcel of land.

If such assessment with interest is not paid within one year from the date of filing, the City may, at its option, foreclose its lien against the owner and the property as named in the lien, as provided by law for the foreclosure of municipal liens, for the unpaid amount of the assessment, interest and attorney's fee.

B. If payment for any charge imposed by the City for services is not paid within thirty (30) days from the date payment is due, water services may be discontinued and not again be supplied until the arrears, with interest and a ~~thirty dollar (\$30.00)~~ penalty for disconnecting and reconnecting the meter, has been fully paid. If the City deems it necessary, the water meter may be removed, and a reinstatement fee of ~~fifty dollars (\$50.00)~~ shall be charged.

### Article 3. Sewer Rates and Charges

#### 13.08.090 Monthly sewer rates--Definitions.

For the purposes of Section 13.08.100, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Commercial Consumer" means any non-municipal user or consumer engaging in business operating, conducting, doing, carrying on, causing to be carried on or pursuing any business, profession, occupation, trade or pursuit for the purpose of profit and who are required to obtain a State taxpayer identification number and whose property is situated within the corporate boundaries of the City of Hobbs.

~~“Commercial Multi-Unit Residential Consumer” means any user or consumer of service for any specific property or facility that is served through a single master meter and used solely for domestic purposes as a multiple unit, multiple family, residential dwelling. This includes, but is not limited to, mobile home parks, apartment complexes, town homes, duplexes, etc., with two or more completely separate dwelling units. This does not include hotels, motels, boarding houses, bed and breakfast establishments, etc.~~

“Domestic Consumer” means a single-family residence user or consumer whose property is situated within the corporate boundaries of the City of Hobbs.

“Industrial Consumer” means any non-municipal user or consumer engaging in business operating, conducting, doing, carrying on, causing to be carried on, or pursuing any business, profession, occupation, trade or pursuit and whose property is situated within the corporate limits of the City of Hobbs and discharges or has the potential to discharge waste from any industrial, manufacturing, food processing or any other type of activity or processing operation into the sanitary sewer system.

“Municipal Consumer” means any user or consumer that is a division or part of the Municipal Government.

“Outside City Commercial Consumer” means any non-municipal user or consumer engaging in business operating, conducting, doing, carrying on, causing to be carried on or pursuing any business, profession, occupation, trade or pursuit for the purpose of profit and who are required to obtain a State taxpayer identification number, including any two or more dwellings/living units connected to one meter, and whose property is situated outside the corporate boundaries of the City of Hobbs.

~~“Outside City Commercial Multi-Unit Residential Consumer” means any user or consumer of service for any specific property or facility that is served through a single master meter and used solely for domestic purposes as a multiple unit, multiple family, residential dwelling. This includes, but is not limited to, mobile home parks, apartment complexes, town homes, duplexes, etc., with two or more completely separate dwelling units. This does not include hotels, motels, boarding houses, bed and breakfast establishments, etc.~~

“Outside City Domestic Consumer” means a single-family residence user or consumer whose property is situated outside the corporate boundaries of the City of Hobbs.

“Outside City Industrial Consumer” means any non-municipal user or consumer engaging in business operating, conducting, doing, carrying on,

causing to be carried on, or pursuing any business, profession, occupation, trade or pursuit and whose property is situated outside the corporate limits of the City of Hobbs and discharges or has the potential to discharge waste from any industrial, manufacturing, food processing or any other type of activity or processing operation into the sanitary sewer system.

“Sewer Only Consumer” means any user or consumer not connected to the City’s water system whose property is situated inside or outside the corporate limits of the City of Hobbs and discharges waste into the City of Hobbs sanitary sewer system.

13.08.100 Monthly sewer rates--Schedule.

A. Domestic Monthly Rates.

1. Service Charge. The domestic consumer minimum monthly service charge for all meter sizes shall be six dollars and fifty cents (\$6.50) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption.

Beginning July 1, 2009, the minimum monthly service charge for all meter sizes shall be seven dollars and seventy cents (\$7.70) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption.

2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of ~~one dollar and ninety-seven cents (\$1.97)~~ two dollars and fifty-six cents (\$2.56) for each one thousand (1000) gallons of water used based upon a three-month winter average not to exceed the following:

5/8” meter consumers	<del>\$32.14</del> <b>\$39.78</b>	(based upon a maximum 15,000 gallons usage)
1” meter consumers	<del>\$51.81</del> <b>\$65.38</b>	(based upon a maximum 25,000 gallons usage)
2” and larger meter consumers	<del>\$101.06</del> <b>\$129.38</b>	(based upon a maximum 50,000 gallons usage)

Beginning July 1, 2009, the usage charge for all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of three dollars and five cents (\$3.05) for each one thousand (1000) gal-

lons of water used based upon a three-month winter average not to exceed the following:

<u>5/8" meter consumers</u>	<u>\$47.35</u>	<u>(based upon a maximum 15,000 gallons usage)</u>
<u>1" meter consumers</u>	<u>\$77.85</u>	<u>(based upon a maximum 25,000 gallons usage)</u>
<u>2" and larger meter consumers</u>	<u>\$154.10</u>	<u>(based upon a maximum 50,000 gallons usage)</u>

B. Commercial Monthly Rates.

1. Service Charge. The commercial consumer minimum monthly service charge for all meter sizes shall be seven dollars and thirty cents (\$7.30) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption. Beginning July 1, 2009, the minimum monthly service charge for all meter sizes shall be eight dollars and sixty cents (\$8.60) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption.

2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of ~~one dollar and ninety-seven cents (\$1.97)~~ two dollars and fifty-six cents (\$2.56) for each one thousand (1,000) gallons of water used. Beginning July 1, 2009, the usage charge for all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of three dollars and five cents (\$3.05) for each one thousand (1000) gallons of water used.

~~C. Commercial Multi-Unit Residential Monthly Rates.~~

~~1. Service Charge. The commercial multi-unit residential consumer minimum monthly service charge for all meter sizes shall be six dollars and fifty cents (\$6.50) per unit and includes an allowance of two thousand (2,000) gallons of water usage per unit. The minimum monthly service charge is imposed regardless of water consumption.~~

~~2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per unit per month, there shall be a usage charge at the rate of one dollar and ninety-seven cents (\$1.97) for each one thousand (1,000) gallons of water used based upon a three-month winter average not to exceed thirty-two dollars and eleven cents (\$32.11) per unit (based upon a maximum average of fifteen thousand (15,000) gallons usage per unit).~~

~~— The number of units for each multi-unit consumer shall be established through investigation and documentation by a designated City of Hobbs Utility employee and shall be reflective of all inhabitable units whether occupied or not.~~

CD. Industrial Monthly Rates.

1. Service Charge. The industrial consumer minimum monthly service charge for all meter sizes shall be seven dollars and thirty cents (\$7.30) and include an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption. Beginning July 1, 2009, the minimum monthly service charge for all meter sizes shall be eight dollars and sixty cents (\$8.60) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption.

2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of ~~one dollar and ninety-seven cents (\$1.97)~~ two dollars and fifty-six cents (\$2.56) for each one thousand (1,000) gallons of water used. Beginning July 1, 2009, the usage charge for all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of three dollars and five cents (\$3.05) for each one thousand (1000) gallons of water used.

DE. Municipal Monthly Rates.

1. Service Charge. The municipal consumer minimum monthly service charge for all meter sizes shall be seven dollars and thirty cents (\$7.30) and include an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption. Beginning July 1, 2009, the minimum monthly service charge for all meter sizes shall be eight dollars and sixty cents (\$8.60) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption.

2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of ~~one dollar and ninety-seven cents (\$1.97)~~ two dollars and fifty-six cents (\$2.56) for each one thousand (1,000) gallons of water used. Beginning July 1, 2009, the usage charge for all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of three dollars and five cents (\$3.05) for each one thousand (1000) gallons of water used.

EF. Outside City Domestic Monthly Rates.

1. Service Charge. The Outside City Domestic Consumer minimum monthly service charge for all meter sizes shall be ~~eight dollars and twenty cents (\$8.20)~~ nine dollars and seventy-five cents (\$9.75) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption. Beginning July 1, 2009, the minimum monthly service charge for all meter sizes shall be eleven dollars and fifty-five cents (\$11.55) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption.

2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of ~~two dollars and forty-six cents (\$2.46)~~ three dollars and eighty-four cents (\$3.84) for each one thousand (1,000) gallons of water used based upon a three-month winter average not to exceed the following:

5/8" meter consumers	<del>\$40.18</del> <u>\$59.67</u>	(based upon a maximum 15,000 gallons usage)
1" meter consumers	<del>\$64.78</del> <u>\$98.07</u>	(based upon a maximum 25,000 gallons usage)
2" and larger meter consumers	<del>\$126.28</del> <u>\$194.07</u>	(based upon a maximum 50,000 gallons usage)

Beginning July 1, 2009, the usage charge for all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of four dollars and fifty-eight cents (\$4.58) for each one thousand (1000) gallons of water used based upon a three-month winter average not to exceed the following:

<u>5/8" meter consumers</u>	<u>\$71.09</u>	<u>(based upon a maximum 15,000 gallons usage)</u>
<u>1" meter consumers</u>	<u>\$116.89</u>	<u>(based upon a maximum 25,000 gallons usage)</u>
<u>2" and larger meter consumers</u>	<u>\$231.39</u>	<u>(based upon a maximum 50,000 gallons usage)</u>

**EG.** Outside City Commercial Monthly Rates.

1. Service Charge. The Outside City Commercial Consumer minimum monthly service charge for all meter sizes shall be ~~nine dollars and ten cents (\$9.10)~~ ten dollars and ninety-five cents (\$10.95) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption. . Beginning July 1, 2009, the minimum monthly service charge for all meter sizes shall be twelve dollars and ninety cents (\$12.90) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption.

2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of ~~two dollars and forty-six cents (\$2.46)~~ three dollars and eighty-four cents (\$3.84) for each one thousand (1,000) gallons of water used. Beginning July 1, 2009, the usage charge for all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of four dollars and fifty-eight cents (\$4.58) for each one thousand (1000) gallons of water used.

~~H. Outside City Commercial Multi-Unit Residential Monthly Rates.~~

~~1. Service Charge. The Outside City Commercial Multi-Unit Residential Consumer minimum monthly service charge for all meter sizes shall be eight dollars and twenty cents (\$8.20) per unit and includes an allowance of two thousand (2,000) gallons of water usage per unit. The minimum monthly service charge is imposed regardless of water consumption.~~

~~2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per unit per month, there shall be a usage charge at the rate of two dollars and forty-six cents (\$2.46) for each one thousand (1,000) gallons of water used based upon a three-month winter average not to exceed forty dollars and eighteen cents (\$40.18) per unit (based upon a maximum average of fifteen thousand (15,000) gallons usage per unit).~~

~~The number of units for each Commercial Multi-Unit Residential Consumer shall be established through investigation and documentation by a designated City of Hobbs Utility employee and shall be reflective of all inhabitable units whether occupied or not.~~

H. Outside City Industrial Consumer.

1. Service Charge. The Outside City Industrial Consumer minimum monthly service charge for all meter sizes shall be ~~nine dollars and ten cents (\$9.10)~~ ten dollars and ninety-five cents (\$10.95) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption. Beginning July 1, 2009,

the minimum monthly service charge for all meter sizes shall be twelve dollars and ninety cents (\$12.90) and includes an allowance of two thousand (2,000) gallons of water usage. The minimum monthly service charge is imposed regardless of water consumption.

2. Usage Charge. For all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of ~~two dollars and forty-six cents (\$2.46)~~ three dollars and eighty-four cents (\$3.84) for each one thousand (1,000) gallons of water used. Beginning July 1, 2009, the usage charge for all water metered in excess of two thousand (2,000) gallons per month, there shall be a usage charge at the rate of four dollars and fifty-eight cents (\$4.58) for each one thousand (1000) gallons of water used.

IJ. Sewer Only Consumer.

1. Service Charge. The Sewer Only Consumer monthly service charge shall be ten dollars (\$10.00). The minimum monthly service charge is imposed regardless of water consumption.

2. Usage Charge. There shall be a usage charge at a rate determined by a field investigation and recommendation performed by the Utilities Director or his/her designee.

JK. Automatic Cost of Service Increase. All service and usage charges detailed in this section shall be subject to an automatic three percent per annum cost of service increase effective each September 1<sup>st</sup> provided, however, such increase shall be subject to review by the City of Hobbs Utilities Board on a yearly basis in May pursuant to a cost of service study to be provided to the Utilities Board by the Utilities Director. At such time, the City of Hobbs Utilities Board shall either endorse such three percent increase or make appropriate recommendations to the Hobbs City Commission. Such review and recommendation shall be conducted during the annual budget preparation process of the City of Hobbs.

13.08.120 Deposits for opening, transferring or reinstating sewer accounts.

Consumers wishing to open or reinstate accounts shall make the following deposits:

A. Domestic Consumer.

Water Meter Size	Deposit
5/8"	\$ 20.00
1"	\$ 20.00
2"	\$ 25.00
3"	\$ 50.00
4"	\$100.00
6" and larger	\$200.00
Sewer Only Account	\$200.00

B. Commercial and Industrial Consumer.

Water Meter Size	Deposit
5/8"	\$ 20.00
1"	\$ 20.00
2"	\$ 25.00
3"	\$ 50.00
4"	\$100.00
6" and larger	\$200.00
Sewer Only Account	\$200.00

C. The City reserves the right to increase a consumer's deposit when a transfer request has been made by the consumer.

D. Such deposits shall be in addition to the reinstatement charge provided for in Section 13.04.060.

PASSED, ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_,  
2008.

\_\_\_\_\_  
GARY DON REAGAN, Mayor

ATTEST:

\_\_\_\_\_  
JAN FLETCHER, City Clerk