

**THE VILLAGE OF WAGON MOUND, NEW MEXICO
ORDINANCE NO. 2019-03
SPECIAL CHARGES FOR SERVICE FROM
THE VILLAGE OF WAGON MOUND NATURAL GAS UTILITY**

COPY

AN ORDINANCE ENACTING AND AMENDING ORDINANCE NO. 433-03 – SPECIAL CHARGES FOR SERVICE FROM THE VILLAGE OF WAGON MOUND NATURAL GAS UTILITY TO ADD SECTION XX-XX-10 – PAST DUE BALANCES, DELINQUENCY, AND UNPAID BALANCES.

XX-XX-1 TITLE – This ordinance is called, and may be cited as, the “Special Charges for Service from the Wagon Mound Natural Gas Utility”.

XX-XX-2 REPLACEMENT IN TOTAL – This ordinance replaces in total ordinance 117- a, b, c, d, e and 128, and any other outstanding ordinance or portion of any ordinance having reference to fees and charges for special services from the Village of Wagon Mound Natural Gas Utility.

XX-XX-3 USE OF THIS ORDINANCE – This ordinance shall be used in conjunction with other ordinances for rates and charges for service from the Village of Wagon Mound Natural Gas Utility as they may be promulgated from time to time by the Village Council.

XX-XX-4 CIVIL PENALTY – Any person or entity found guilty of violating any of the provisions of this ordinance shall be referred to Ordinance 432-00 Utility Line Ordinance.

XX-XX-5 SERVERABILITY – 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.

XX-XX-6 REPEALER – All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed to extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

XX-XX-7 SPECIAL CHARGES – Special charges for service from the Village of Wagon Mound Natural Gas Utility System shall be assessed and applied as described below, and they are applicable to each customer for whom service is rendered as described below.

A. **ACCOUNT TRANSFER READ-IN FEE**- In the event that a potential customer requests the transfer of service and payment responsibility to that potential customer, the meter at the premises for which service is being provided shall be read, and the record of the account shall be changed so as to show the name, address and other relevant information pertaining to the potential customer, thereby making the potential customer the customer of record for the account. This service shall be provided only during normal business hours.

FEE \$13.68

B. **BILL COLLECTION FEE**- In the event that the Village must collect payment for gas services away from its established business offices, a charge for this collection service shall be assessed to the account.

FEE \$13.68

C. DAMAGE TO THE VILLAGE'S UTILITY SYSTEM- In the event that damage is done the Village's utility system by any person or entity not acting, as an agent of the Village, the total actual cost of repairing the damage shall be charged to the person or entity causing the damage. In the event that the damage is done to the Village's utility system, which resides on a customer's premises, and the person or entity, which caused the damage, cannot be determined, the customer on whose premises the damage occurred shall be held responsible for the damage. Damage shall include the cost of natural gas lost as the result of damage to the system, as it is estimated by the Village.

D. DEPOSITS

1. Amounts: Customers shall deposit with the Village of Wagon Mound the following amounts in order to establish Natural Gas Service

Residential Customers \$50.00

Rental Customers: \$100.00

2. Refunds of Deposits upon Discontinuance of Service: Upon discontinuance of service, the deposit herein specified less deduction for delinquencies shall be forthwith paid to the customer. No interest shall be paid on accounts, which have been active for a period of less than one continuous year.
3. Change of Service Location: Any customer transferring service from one location to another shall not be required to place a deposit for service at the new location if the amount has not been more than sixty (60) days past due more than one time in the previous year before said transfer.

E. RETURNED CHECK FEE- In the event that a customer's check or bank draft which has been presented for payment for service is returned to the Village unpaid, the Village shall assess a fee for each returned check or bank draft.

F. SERVICE RELOCATION FEE- In the event that a customer requests that the Village relocate its gas utility system for the convenience of the customer, the requesting customer shall pay the total actual cost of the relocation. The customer shall be provided an estimate of the cost of the relocation and shall pay the estimated cost in advance. At the time that the relocation is completed the Village shall advise the customer of the actual cost of the relocation, and payment shall be made to either the Village or the customer in the amount by which the estimated and actual cost differ.

G. SERVICE TURN ON OR SERVICE TURN OFF AND OTHER SPECIAL SERVICE- In the event that customer requests that the Village perform the service described hereunder, the Village shall assess the following fees for these services. These services shall include the reading and recording of data for the meter at the premises as appropriate.

FEE for Turn-on, including Pilot Lighting, during normal business hours \$13.68

FEE for Turn-on after normal business hours \$27.36

FEE for Turn-off during normal business hours \$13.68

FEE for Turn-off after normal business hours \$27.36

H. NO WAIVER OF FEE- With the expectation of the waiver of deposit described herein, no fee or charge for special service shall be waived.

***Note**- Any service turned off more than six (6) weeks shall require a mercury test prior to turn on of gas service. The Village shall light pilots on the customer's system upon request. No other work on

customer's gas system shall be performed by the Village. The Village shall not assume any responsibility for piping inspection on the customer's natural gas system.

XX-XX-8 AUTOMATIC ADJUSTMENT TO FEES AND CHARGES- In the event that the Village determines that its natural gas utility system has operated in a deficit situation in the immediately previous fiscal year, the Village may apply a price adjustment to the fees contained in XX-XX-7a, b, g, and i. Above which shall base on the Consumer Price Index as it is determined from time to time by the Federal Government. The price adjustment shall be based on the Consumer Price Index data for the immediately previous fiscal year. Any adjustments to fees shall be computed by the Natural Gas Utility Department.

XX-XX-9 HOOKUP SERVICES- The Village shall charge for hookup services in the following amount.

For connection of 1 ¼" or smaller \$200.00 including meter, digging, fittings, installation from main line to meter. Over 20 feet \$10.00 per foot.

For connections larger than 1 ¼" \$1200.00 including meter, digging, fittings, installation from main line to meter. Over 20 feet \$10.00 per foot.

XX-XX-10 PAST DUE BALANCES, DELINQUENCY, AND UNPAID BALANCES

A. PAST DUE BALANCES - Accounts with charges not paid in full by the 16th of the month shall be considered past due and incur a late fee totaling 1% of the past due balance.

B. DELINQUENCY - Accounts with charges left unpaid for 45 days from the original date the charges were incurred shall be considered delinquent.

(a) Customers with a delinquent account shall be issued a delinquent letter sent in the mail and posted at the service location. The delinquent letter shall cite the delinquent balance owed as well as the due date for payment, which shall be 5 to 7 days from the date the letter was issued. The letter shall provide a warning that if the delinquent balance is not paid by the given due date, utility service will be shut-off as a result of non-payment without additional notice. The Village office address, phone number, hours of operation, and acceptable forms of payment shall also be stated in the letter.

(b) When a delinquent balance is left unpaid, the utility services will be disconnected at 9AM the morning following the due date. No utility service shall be disconnected for non-payment on a Friday or the day preceding a holiday.

(c) Any account with services shut-off for non-payment shall incur a \$75.00 shut-off fee, and the full account balance, including charges not yet billed, must be paid in full prior to reinstating service.

(d) Any account with services shut-off for non-payment will have solid waste services withheld including both curbside pick-up and dumping at the Transfer Station until account is reinstated.

C. UNPAID ACCOUNT BALANCES

(a) Property owners or designated agent of property management shall assume full responsibility for any balance left unpaid by renters or tenants, and any application for new service at the same address shall not be accepted until the balance is paid in full.

(b) The Village may place a lien against a property when a delinquent balance is left unpaid.

Laudente Quintana
Laudente Quintana, Mayor

Andres Martinez
Andres Martinez, Mayor Pro-Tem

Adrian A. Clouthier
Adrian A. Clouthier, Councilman

Paul A. Miera
Paul A. Miera, Councilman

Timothy Cruz
Timothy Cruz, Councilman

ATTEST:

Kathleen Eggert
Kathleen Eggert, Clerk Treasurer

