

ORDINANCE NO. 1143

TO ADOPT AN ORDINANCE AMENDING CHAPTER 54, SECTION 54.046 OF THE TOWN OF SILVER CITY MUNICIPAL CODE, RELATING TO WATER RATES

WHEREAS, the Town of Silver City is the owner of a municipal water system and as such sells water to consumers both within and without the Town's municipal boundaries; and

WHEREAS, in Ordinance No. 948, the Town Council of the Town of Silver City amended the rates at which water was to be sold to "in-Town" residents and commercial customers, including a minimum charge, a second tier rate, and a third tier rate, all to be effective with the May, 1996 billing cycle; and

WHEREAS, said Ordinance No. 948 also provided for an automatic annual increase of one and one half percent effective with account billings commencing in May, 1997 and continuing thereafter until May, 2011; and

WHEREAS, due to unforeseen increases in costs of maintenance and the delivery of water, the Town Council has requested the Town Manager to calculate a reasonable adjustment of water rates to cover present and anticipated costs and expenses; and

WHEREAS, after due consideration, the Town Manager has made his recommendations to the Town Council, and the Town Council finds that it is in the best interests of the health, safety and welfare of the Town and its inhabitants that the water rates for residential and commercial customers be adjusted upward;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, that:

Chapter 54, Section 54.046 (A) (1, 2, and 3) is hereby amended and shall read:

(1) Minimum charge: \$9.95 for the first 3,000 gallons.

- (2) Second tier: \$3.34 per 1,000 gallons over 3,000 up to 13,000 gallons.
- (3) Third tier: \$4.09 per 1,000 gallons over the 13,000 gallons.

Chapter 54, Section 54.046 (B) (1, 2, and 3) is hereby amended and shall read:

- (1) Minimum charge: \$9.95 for the first 3,000 gallons.
- (2) Second tier: \$3.34 per 1,000 gallons over 3,000 up to 417,000 gallons monthly.
- (3) Third tier: \$4.09 per 1,000 gallons over 417,000 gallons monthly.

Chapter 54, Section 54.046 (C) is hereby amended and shall read:

Out- of- town- rates. The monthly rates or charges per account for water delivery services furnished outside the town limits shall be double the rate for in-town services, except that any increases to the in-town water rates effective subsequent to May 1, 2008 shall be a direct increase to the out-of-town rate and shall not be doubled.

Chapter 54, Section 54.046 (D) (Implementation) is hereby amended and shall read:

Section 54.046 (D) Implementation. The increase in water rates will be effective with the account billings in June, 2008.

Chapter 54, Section 54.046 (E) is deleted in its entirety.

Chapter 54, Section 54.046 (F) is deleted in its entirety.

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 10th day of June, 2008.

TOWN OF SILVER CITY

(Seal)

/s/

James R. Marshall, Mayor

ATTEST:

/s/

Ann L. Mackie, Town Clerk