



## Ordinance 2014-01

### SEWER SERVICE ORDINANCE

Amendment two

Dated 25, October 2016

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## **7-2-1 SHORT TITLE**

- A. This title shall be known as the Town of Peralta Sewer Service Ordinance.
- B. This article shall govern the collection and disposal of Sewage within the Town of Peralta, New Mexico.

## **7-2-2 PUBLIC UTILITY DEPARTMENT ESTABLISHED**

- A. There is hereby created within the executive branch of the Town a Public Utility Department. The Utility Department may consist of a Director of Public Utilities and such employees as may from time to time be authorized by the Governing Body to provide for the adequate and efficient management and operation of the Town's wastewater collection system (the "sewer system") and any other Public Utilities that may be owned and operated by the Town.
- B. The position of Utilities Director shall be held by a qualified full-time or part-time person as and when needed to provide for efficient utility operations. The Utilities Director shall serve under the direction of the Town Clerk/Administrator. The position of Utilities Director may for administrative purposes be combined with another appropriate position, with one person serving in the combined capacity. If no Utilities Director has been appointed or if the position becomes vacant, the Governing Body shall appoint the Town Clerk as Utilities Director until the position has been filled.
- C. The Director of Public Utilities shall be directly responsible for the management of the sewer system and any other public utilities owned and operated by the Town. The Utilities Director shall supervise construction, installation, operation, maintenance, repair, replacement, enforcement, and other duties in connection with the sewer system and other Public Utilities as the Governing Body may prescribe from time to time.
- D. The Town may establish the position of Billing Clerk, whose responsibilities will include reviewing Applications for sewer service, preparing monthly sewer bills, and maintaining billing records and receipts. The Billing Clerk shall serve under the direction of the Town Clerk/Administrator. The position of Billing Clerk may for administrative purposes be combined with another appropriate administrative position, with one person serving in the combined capacity. If no Billing Clerk has been appointed or if the position becomes vacant, the Town Clerk/Administrator shall act as Billing Clerk until the position has been filled.

## **7-2-3 SEWER UTILITY ESTABLISHED**

- A. The Town sewer system is hereby declared to be established to protect the health, safety, and welfare of citizens of the Town of Peralta, New Mexico and to protect the quality of the water supply for Town Residents and Property Owners, by providing for the reduction and eventual elimination of public health hazards that may result from improper wastewater disposal, and to provide for a wastewater utility system serving those parts of the Town where such a system is most urgently needed.

- B. This Ordinance fulfills some of the policies and goals of the Valencia County Integrated Regional Water and Wastewater Master Plan and the Town's Comprehensive Planning Document. Regionalization of wastewater treatment and establishment of a sewer system in Peralta was identified as the top priority for long term development in the County.
- C. The provisions of this Ordinance are applicable and binding within the municipal limits of the Town. Service shall only be provided within the Town's municipal boundaries except as otherwise provided in this ordinance.
- D. To protect the health, safety, and welfare of the Town, the Governing Body may approve service requests outside Town limits. Customers outside the Town limits who request sewer services from the Town, if accepted by the Town for such services will be subject to the terms, fees, obligations and duties under this Ordinance.
- E. The Town reserves the right to require special contracts in the case of unusual sewer service requirements.
- F. The Town sewer system is a low pressure grinder pump system, capable of accepting and transporting sewage slurry from grinder pumps to the Wastewater Treatment Facility.
- G. Management, operation, and maintenance of the Town sewer system shall be the responsibility of the Utility Department and Director, subject to the supervision and control of the Town Clerk/Administrator and the Mayor. Responsibility for accounting and the billing and collection of sewer connection fees, user fees, and other charges shall be the responsibility of the Billing Clerk, as determined by the Town Clerk/Administrator and with the approval of the Mayor.
- H. The Town shall make and enforce such rules, regulations, and standards as it may deem necessary for the safe, efficient, and economical management of the sewer system. Any construction and connection to the sewer system shall be in compliance with the requirements and standards described in this Ordinance and within the Town's Planning and Zoning regulations and Subdivision and Development regulations.
- I. The construction of the sewer system and the availability of service are subject to the availability of funding for the design and construction of the system.

#### **7-2-4 DEFINITIONS**

- A. The following definitions shall be applicable whenever the defined term is used in this Ordinance:
  - 1. "Agent" means a Person, Contractor, or other entity that has been authorized to act on behalf of the Town in an explicitly defined role or capacity.
  - 2. "Applicant" means any property owner or agent that has submitted an Application for Service.

3. “Application” means the Application a Customer submits to the Town for Service. An Application includes required fees, attachments, and supplemental information.
4. “Clerk/Administrator” means the Town of Peralta Clerk/Administrator.
5. “BOD” means five-day biochemical oxygen demand as determined by Standard Methods.
6. “COD” means chemical oxygen demand as determined by Standard Methods.
7. “Code Enforcement Officer” means the person employed by the Town of Peralta to enforce all enabling state laws and local ordinances.
8. “Commercial Customer” means any Customer who is not a Residential Customer.
9. “Control Panel” means the Grinder Pumping Unit’s electrical disconnect panel, alarm device, and wiring from the Control Panel to the Grinder Pumping Unit.
10. “Customer” means any Person or entity that has made a connection to the sewer system or otherwise receives Service.
11. “Domestic Sewage” means wastewater normally generated in, and normally disposed of in, bathrooms, rest rooms and residential kitchens. Also included in Domestic Sewage is wastewater normally generated in cleaning and maintaining homes and commercial and institutional facilities and normally disposed of in interior building wastewater drainage systems provided such wastewater does not contain any Prohibited Sewage.
12. “Drainage Water” means any water draining from roofs, patios, driveways, parking areas, areas outside buildings or areas flooded by stormwater. Also included is any groundwater, which is pumped by the Customer but not used for normal domestic uses in a building or any groundwater that may seep into the Customer’s Gravity Sewer Service Line.
13. “Double Grinder Pumping Unit” means a Grinder Pumping Unit having two grinder pumps.
14. “Easement” means the Easement granted by an Applicant/Customer to the Town for installation, operation and maintenance of the Grinder Pumping Unit and Pressure Service Line.
15. “Gravity Sewer Service Line” means the Customer’s gravity sewer service pipe which transmits the Customer’s Sewage to the Grinder Pumping Unit.
16. “Graywater” means untreated household wastewater that has not come in contact with toilet waste and includes wastewater from bathtubs, showers, washbasins, clothes washing machines and laundry tubs, but does not include wastewater from kitchen sinks, dishwashers, or laundry water from the washing of material soiled with human excreta, such as diapers.

17. "Grease Trap" means a device designed to remove grease and oil from the Customer's wastewater, approved by the Utilities Director and provided and maintained by the Customer.
18. "Grinder Pumping Unit" means the Town's Sewage Grinder Pumping Unit including grinder pump(s), tank, with internal electrical and plumbing equipment, including level controls and other appurtenances.
19. "Governing Body" means the Governing Body of the Town of Peralta.
20. "Health Officer" means any person or his authorized representative appointed by the Town as the Health Officer (or the Utilities Director if a Town Health Officer has not been appointed) or any New Mexico Environment Department representative charged with approval or inspection of public or private sewage facilities.
21. "High Density Area" means a lot or parcel having a total area of 0.75 acres or less, or a lot having a design flow that is greater than the minimum lot size acreage defined in NMAC 20.7.3.301.
22. "Liquid Waste Design Flow Rate" means the design flow rate of a residential unit or commercial facility determined in accordance with Section 20.7.3.201.P, NMAC.
23. "NMAC" means the New Mexico Administrative Code.
24. "NMED" means the New Mexico Environment Department.
25. "Occupied" means the use and possession of a structure for the purpose for which it is designed.
26. "Other Permitted Sewage" means wastewater normally generated in commercial or institutional kitchens, laundries, or car washes that has passed through the Customer's Grease Trap and/or Sand Trap provided such wastewater does not contain any Prohibited Sewage.
27. "Ordinance" means the Sewer Service Ordinance.
28. "Out-of-Pocket Costs" means all direct costs incurred by the Town for a particular effort including, but not limited to, materials, contracts, engineering, legal services, land, easements, salary for Town employees, plus ten (10) percent of all of these costs. Salary costs shall include all statutory and customary benefits and burdens.
29. "Permitted system" means a wastewater disposal system that has been issued a permit and inspected by the NMED, and is constructed and maintained conforming to the requirements of NMAC 20.7.3.

30. “Person” means individuals, partnerships, corporations, associations, societies, clubs, churches, institutions and public bodies, and includes both the masculine and feminine gender.
31. “pH” means the logarithm to the base ten of the reciprocal of the weight of hydrogen ions in grams per liter in solution.
32. “Pressure Service Lateral” means the Town’s pressure pipe within the public right-of-way from the Pressure Service Line at the Customer’s property line to the Pressure Sewer Line.
33. “Pressure Service Line” means the Town’s pressure pipe from the Grinder Pumping Unit to the Pressure Sewer Line including associated valves and appurtenances.
34. “Pressure Sewer Line” means the Town’s pressure sewer collection and transmission pipelines into which Sewage is received from Pressure Service Lateral and through which Sewage is transported to the Wastewater Treatment Facility. Pressure Sewer Line includes valves and appurtenances on these lines.
35. “Private Sewage Disposal Unit” means a privately owned sewage disposal facility which meets all the requirements of the New Mexico Environment Department and serves a property/facility which is in compliance with the Town’s zoning regulations.
36. “Prohibited Sewage” means any wastewater containing Prohibited Substances, or characteristics prohibited by this Ordinance.
37. “Prohibited Substances” means any substance, material, chemical or compound the discharge of which to the Sewer System is prohibited by the Ordinance, or any substance, material, chemical or compound in the Customer’s wastewater in concentrations greater than those allowed by the Ordinance.
38. “Remodel” means any modifications to an existing building or structure, such as removal, erection, or installation of a wall, living quarters, kitchen, or bathroom facility that require a building permit.
39. “Residential Customer” means any Customer receiving Service for a single family residence or single family dwelling unit with a single kitchen facility.
40. “Sand Trap” means a Utilities Director approved Customer provided and maintained device designed to remove sand, grit, and mud from the Customer’s wastewater.
41. “Septage” means any contents or material from a septic tank, cess pool, leach field, privy, or vault privy.
42. “Service” means a Customer is connected to the Sewer System or a building/property could be connected to the Sewer System.

43. "Sewage" means all Domestic Sewage and Other Permitted Sewage.
44. "Sewer System" means the sewage collection and disposal system owned and operated by the Town including Grinder Pumping Units.
45. "Single Grinder Pumping Unit" means a Grinder Pumping Unit having one grinder pump.
46. "Slug" means any Customer discharge of wastewater to the Sewer System which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, five (5) times the average twenty-four (24) hour concentration or flow from that Customer.
47. "Standard Methods" means the laboratory procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Works Association, the American Water Works Association and the Water Environment Federation.
48. "TDS" means total dissolved solids as determined by Standard Methods.
49. "TSS" means total suspended solids as determined by Standard Methods.
50. "Utilities Board" means the five-member board that is established under this Ordinance, consisting of two members of the Governing Body, one Planning and Zoning Commissioner, and two Town Residents, at least one of which must be connected to the sewer system. Duties of the board include hearing appeals or complaints and addressing special circumstances.
51. "Utilities Director" means the individual hired by the Governing Body to that position. If an individual has not been, or is not currently hired to the position, the Town Administrator/Clerk shall be the Utilities Director. Utilities Director also means his/her agents or designated representatives.
52. "Vacant Lot" means a legal lot that is within 200 feet of an existing pressure sewer line.
53. "Town" means the New Mexico incorporated municipality of the Town of Peralta, or their Agent.
54. "Wastewater Treatment Facility" means the Village of Bosque Farms' Facility which receives Sewage from the Town's Pressure Sewer Lines and treats such Sewage.
55. "Within 200 feet" means any part of a property that leads to a residence or business that is within 200 feet of a pressure sewer line lateral or main.

B. "Shall" is mandatory; "may" is permissive.

## **7-2-5 SEWER CONNECTION REQUIRED**

- A. The owner of a lot or parcel with residential or commercial uses on any real property within the Town limits, within thirty (30) days of receiving written notification from the Town of the availability of sewer services within 200 feet of any residential or commercial use, shall submit an application to the Town on a form approved by the Town for connection to the system. Connection to the Town's sewer service system shall be mandatory after the Town's sewer line is placed within 200 feet of any residential or commercial use and if one of the following occurs:
  - 1. The property is utilized for Commercial purposes or includes Commercial facilities.
  - 2. The property is located in a High Density Area.
  - 3. Property ownership is changed or transferred.
  - 4. A mobile home unit is placed on a new or existing lot.
  - 5. A new residential use or a new building permit for any commercial or residential use after January 1, 2015.
  - 6. The existing private wastewater disposal system is unpermitted or fails to meet permit requirements.
- B. The Owner of such a property shall:
  - 1. Submit an Application with payment,
  - 2. Connect to the sewer system as availability allows.
- C. Commercial and residential users and/or land owners of commercial or residential uses connecting to the System shall grant an easement to the Town for the installation and maintenance of the system. The easement shall be granted by approved forms of the Town of Peralta.
- D. Upon completion and acceptance of the sewer line and appurtenances by the Town, all pressure sewer laterals, grinder pumps, control panels, and appurtenances shall remain the Town.
- E. Owners of Private Roads shall ensure that a utility easement is granted to the Town for installation and maintenance of the sewer system.
- F. Property Owners wishing to take exception to the mandatory connection shall file a waiver request for consideration by the Utilities Board.
  - 1. Mandatory connections may be waived or delayed if the Property Owner can demonstrate by clear and convincing evidence to the Utilities Board that an advanced treatment system is already in place, operational, and provides adequate wastewater treatment to sewage generated on the Property.

2. Owner shall provide proof to the Town that the System is in compliance with NMED standards. Proof shall include the following:
  - i. Permit.
  - ii. Inspection report.
  - iii. Other information as determined by the Utilities Director.
3. Decisions of the Utility Board may be appealed to the Town Council. Any decision which can be appealed under the terms of this Ordinance is final unless an appeal is initiated by application to the Town on prescribed forms within 15 days of the announced decision. The date of determination is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday, or holiday, the next working day is considered as the deadline for filing the appeal.
  - i. An appeal to the Town Council shall be introduced into the Council within 45 days of the expiration of the appeal period, the hearing opened within 60 days of the expiration of the appeal period, and concluded within 90 days of the expiration of the appeal period. However, the Council may for good cause determine that the appeal should be deferred beyond the 90-day period.

G. It is prohibited for any person or entity to construct or install a private wastewater disposal system not connected to the sewer system, or to construct or install a leach field for a private wastewater disposal system within any service area where the sewer system is within 200 feet of the lot or parcel.

H. Any person selling or otherwise transferring ownership of real property within the Town of Peralta shall disclose to the purchaser or transferee the requirement to connect to the sewer system as described in this Ordinance.

I. Where sewer service is not available within 200 feet of a lot or parcel, the following shall apply:

1. Failed, illegal, inoperable, or inadequate systems shall be modified to meet NMED regulations.
2. A building permit shall not be issued for remodels if an adequate wastewater disposal system is not in place. If modifications to existing structures will result in changes to the Liquid Waste Design Flow Rate, the wastewater disposal system shall be analyzed by NMED or other competent authority determined by the Town to determine the adequacy of the system prior to issuing a building permit.
3. New mobile homes shall not be placed on or connected to existing wastewater disposal systems unless approved and permitted by NMED.
4. Prior to any change in property ownership, the Town shall require an inspection of the existing wastewater disposal system. Systems that do not meet current standards shall be modified to meet NMED regulations prior to transfer of property ownership.

- J. The Town shall notify individual property owners of service availability and the requirement to connect to the sewer system.
- K. The Owner of each lot or parcel within any primary service area shall apply for connection to the sewer utility system within 30 days of notification from the town.
- L. This Ordinance does not preclude the discharge of graywater from graywater systems pursuant to 20.7.3.810 NMAC.

## **7-2-6 APPLICATION**

- A. The Town will notify Property Owner in writing of the Property Owner's obligation to apply.
- B. A Property Owner shall submit a complete Application for approval before a connection will be granted.
- C. For all Applicants, an Application shall consist of:
  - 1. An application form providing the Applicant's name, service address, mailing address, telephone number, the nature of the residential unit or commercial facility to be served, and any other information needed for the Town to review the Application,
  - 2. All required fees, and
  - 3. Easement documentation.
- D. For Commercial Applicants, an Application shall include:
  - 1. The items listed in (C) above,
  - 2. Other information deemed necessary by the Utilities Director to determine:
    - i. The acceptability of the anticipated sewage,
    - ii. The type and number of grinder pumping units required, and
    - iii. Other requirements for providing service including, but not limited to the need for Grease Traps and/or Sand Traps.
- E. The Town shall promptly notify the Applicant if any information is incomplete or if additional information is needed for review of the Application for service.

## **7-2-7 INSTALLATION AND CONNECTION**

- A. The Customer shall coordinate with the Town to locate the Grinder Pumping Unit and the Control Panel on the property as close to the existing sewer line as possible.

- B. The Town will furnish and install for use on the Property a low-pressure Grinder Pumping Unit and a Control Panel after receipt of applicable connection fees outlined in this Ordinance. The Customer shall grant the Town access onto the Property to install the Grinder Pumping Unit and Control Panel and perform necessary inspections, repair, and replacement of system components, as necessary.
- C. The Town shall have a licensed electrician install the Control Panel in conformance to the National Electric Code and manufacturer's specifications. **Installation shall include wiring the control panel to the grinder pumping unit necessary to meet the electrical needs of the control panel.** Any electrical upgrades to the Property Owner's Service shall be the responsibility of the Property Owner. **Any electrical upgrades or corrections to pre-existing code violations to the property owner's service shall be the responsibility of the property owner.** The Town will make provisions to offer payment plans for financing electrical upgrades.
- D. The Town shall have a licensed plumber furnish, install, and test the on-lot Gravity Sewer Service Line between the Property dwelling and the Grinder Pumping Unit. The plumber shall also furnish, install, and test the on-lot force main between the Grinder Pumping Unit and the service connection located at the approximate road right-of-way.
- E. The Town shall be responsible for connecting the service line to and activating the Grinder Pumping Unit in accordance with applicable codes and Town standards. The Town shall verify proper operation of the Grinder Pumping Unit and Control Panel.
- F. **The Town shall make every effort to minimize any disturbances caused by installation work under this Ordinance. In regards to landscaping within property owner's yard the following shall apply:**
  - 1. Contractor shall meet with each property owner and Utilities Director to conduct a pre-assessment of the installation and determine the scope of work to be conducted on each property.
  - 2. All parties involved, including Contractor, Property Owner and Utilities Director shall be in agreement of the scope or work, sketch of property, and terms as spelled out in the Application for Sewer Service and Location for service components before installation of grinder pump work commences.
  - 3. Property owner will be responsible for identifying as well as removing and replacing any unusual circumstances such as landscaping, concrete, paving, fencing, sprinkler systems, buried electrical wiring, plumbing, or anything else that may interfere with the installation.
  - 4. If the contractor damages any items identified by the property owner prior to any work beginning, then contractor will be responsible for repair of such damages.

**If the Contractor damages any items not identified by property owner, the contractor will not be responsible for repairs. Property owner shall be**

responsible for their own repairs of items not identified prior to work commencing.

5. Contractor will make every effort to minimize any disturbances caused by installation of the grinder pump.
6. Contractor and Utilities Director may elect to bypass a property installation if it is determined that the installation of grinder pump will create too much of a disturbance or damage to property, or financial burden to the property owner or the Town of Peralta, unless an alternative installation is agreed upon, or the property owner assumes responsibility for clearing the impediments or barriers to installation. Upon this decision by the Utilities Director to bypass the installation, the owner may submit application for mandatory connection to be waived per section 7-2-5, paragraph F of this Ordinance.

#### **7-2-8 INSTALLATION FOR NEW CONSTRUCTION**

- A. These requirements apply to new construction effective at the date of the adoption of this Ordinance and in compliance with the provisions of the Subdivision and Development regulations. Buildings for new construction shall be designed and constructed so:
  1. The Control Panel is installed (or can be installed if not installed prior to building being Occupied) within fifty (50) feet of the Grinder Pumping Unit and so it is visible from the adjacent Pressure Sewer Line to which the building is (or will be) connected.
  2. The Grinder Pumping Unit connection point is located between the house and the street.
  3. The building's Service Line can be connected to a Grinder Pumping Unit at an invert elevation so that for:
    - i. A Single Grinder Pumping Unit, the Service Line shall not be more than thirty-five (35) inches below the finished ground surface where the unit will be installed.
    - ii. A Double Grinder Pumping Unit, the Gravity Service Line shall not be more than fifty (50) inches below the finished ground surface where the unit will be installed.
- B. On a case-by-case basis, the Utilities Director may modify these requirements if the application would be impractical for a particular building. If so modified, the Customer shall reimburse the Town for any additional Out-of-Pocket Costs the Town incurs in allowing the modification. Such Out-of-Pocket Costs shall include costs associated with allowing Gravity Service Line depths deeper than indicated above. The Utilities Director shall be the final authority as to what modification, if any, shall be allowed.

## **7-2-9 SAND TRAPS AND GREASE TRAPS**

- A. Sand Traps and/or Grease Traps shall be installed and maintained in on-lot Gravity Service Lines serving Customers that generate wastewater from car washes, schools, day care facilities, restaurants, commercial laundries and laundromats, and certain other commercial or public buildings to prevent accumulation of grease, oil, sand, or mud in the Grinder Pumping Units or the sewer system.
- B. Grease Traps shall be installed and maintained in the on-lot Gravity Sewer Service Lines leading to all Double Grinder Pumping Units except where:
  - a. Double Grinder Pump Units serve only multiple single-family residential dwelling units.
- C. The Town will evaluate the need for Sand Traps or Grease Traps on a case-by-case basis and notify the Applicant or Customer if they are required.
- D. Where required, the Town shall have authority to inspect Sand Traps and Grease Traps to ensure that they are correctly installed and operating properly. Inspection shall be made at appropriate times during regular business hours except in the event of an emergency.
- E. Should the Utility Director's inspection of a Grinder Pumping Unit indicate excessive grease, oil, sand, or mud, the Utility Director shall give the Customer notice and the Customer shall install new and/or additional Sand Traps and/or Grease Traps required by the Utilities Director within sixty (60) days of the notice.
- F. Customers shall be responsible for installation, operation, and maintenance of Grease Traps and Sand Traps to prevent any accumulated grease, oil, sand, or mud from being discharged to the Grinder Pumping Unit or sewer system.
- G. The Utilities Director shall periodically inspect Grease Traps and Sand Traps to verify compliance with this Ordinance. Customers shall allow reasonable access to Grease Traps and Sand Traps for inspection and monitoring.

## **7-2-10 CONTINUING RESPONSIBILITIES**

- A. Following installation of the Gravity Sewer Service Line, Grinder Pumping Unit, and Control Panel and during all periods that sewer service is provided, the Customer shall be responsible for ensuring that property conditions remain suitable for operation, maintenance, and repair of the Grinder Pumping Units. Specifically, the Customer shall:
  - 1. Avoid and prevent damage to the Grinder Pumping Unit, Control Panel, and all wastewater lines. Alteration or removal of any sewer service connection components without the prior approval of the Town is strictly prohibited.
  - 2. Monitor the Grinder Pumping Unit's alarm device and notify the Town promptly of all alarms.
  - 3. Observe the Grinder Pumping Unit for visible or other noticeable indications of unit failure, improper operation, or damage and notify the Town of such indications.

4. Provide continuous and uninterrupted electrical power for the operation of the Grinder Pumping Unit and appurtenances, except only for electrical service outages, failures beyond Customer's control, and extended vacanacy of premises for more than thirty (30) days. The Customer shall also maintain Customer-owned wiring up to the Control Panel.
5. Maintain reasonably unobstructed access to the Grinder Pumping Unit and Control Panel at all times so that the Town may perform necessary inspections, maintenance, and repair. Remove and replace any fencing required to allow the Utilities Director access for inspection, maintenance, repair, or replacement of the Grinder Pumping Unit and Sewer Line.
6. Maintain site grading, drainage and irrigation so surface water does not accumulate within four (4) feet of the Grinder Pumping Unit. Maintain landscaping so the Control Panel and Grinder Pumping Unit are easily visible and assessable.
7. Maintain and clean any Sand Traps or Grease Traps to ensure that damaging materials are not introduced into the Grinder Pumping Units or sewer system.
8. Submit timely payment of all amounts owed for installation and continuing operation of sewer service.
9. Comply with this Ordinance.

B. The Town shall have the continuing responsibility to provide for the operation and maintenance of the sewer system, including service, repair, and replacement, if necessary, of Town-owned Grinder Pumping Units. Specific Town responsibilities include:

1. Determining if any special charges are to be paid by Applicant/Customer for installation and informing the Billing Clerk of such charges.
2. Verifying the Grinder Pumping Unit and Control Panel is operating properly.
3. Verifying any meters, Grease Traps, Sand Traps, or other facilities required by this Ordinance or as a condition of providing Service are installed and operating properly.

#### **7-2-11 UNAUTHORIZED DISPOSAL**

- A. It shall be unlawful to discharge to any natural outlet, to the ground, or to groundwater any Sewage, Prohibited Sewage, or other polluted waters except where suitable treatment has been provided in accordance with provisions of this Ordinance.
- B. Except as specifically provided in this Ordinance, it is unlawful to construct or maintain any private wastewater disposal system, including but not limited to privy, privy vault,

septic tank, cesspool, or other facility intended for the disposal of Sewage or Prohibited Sewage.

C. Where public sewer is not located within 200 feet of the lot or parcel, a private onsite wastewater disposal system shall be constructed and/or maintained to meet the following criteria:

1. The wastewater disposal system shall be permitted by the NMED.
2. The Owner shall maintain the system in compliance with the regulations of NMED.
3. The wastewater disposal system shall be sized to adequately treat the Liquid Waste Design Flow Rate as set forth in Section 20.7.3.201 NMAC.
4. A building permit shall not be issued for new construction of a building or structure that will generate wastewater except as follows:
  - i. The new building or structure is on a lot within 200 feet of a sewer line and the structure will be connected to the sewer system prior to occupancy, or
  - ii. The new building or structure is not located on a lot within 200 feet of a sewer line and a legally permitted wastewater disposal system will be constructed prior to occupancy.

D. Where service connection to the sewer system replaces an existing septic system with a leach field and the septic tank remains in place, the leach field shall be disconnected from the septic tank and the pipe to the leach field shall be capped when connection to the sewer system is completed.

1. If the service connection replaces an existing septic tank, the tank shall be pumped and cleaned out, filled with sand or other NMED-approved material, and the lid crushed to be made inoperable.
2. If the connection to the sewer system replaces any other type of on-site disposal system, such as an advanced treatment system, the disposal system shall be disconnected within approximately thirty (30) days after connection to the sewer system.
3. The Customer shall provide written notice to the Town and NMED within thirty (30) days of decommissioning and abandoning a private on-site wastewater treatment and disposal system. Customers who provide adequate documentation of decommissioning will receive a credit towards their connection fee, contained in the Rate and Fee Attachment.
4. Responsibility of septic tank abandonment shall be at the discretion of the Town.

## **7-2-12 REQUIREMENTS FOR NEW LAND SUBDIVISIONS**

- A. The requirements of this Section apply to all subdivisions that do not have final plat approval prior to January 1, 2015, as well as undeveloped subdivisions that have previously been approved.
- B. The subdivision plat shall include dedication of a sewer system easement for each lot.
- C. The subdivision shall be designed and constructed so the requirements subsequently given in this Ordinance for new buildings can be readily accomplished.
- D. The developer shall be responsible for installation of the grinder pump units according to the direction of the Utilities Director.
- E. The subdivision developer shall install all Pressure Sewer Lines within the subdivision required to serve all lots and dedicate such lines to the Town upon the Town's acceptance. The installed Pressure Sewer Lines and Pressure Service Laterals shall include required appurtenances, shall be constructed in accordance with the Town's standards, shall be constructed in accordance with engineered construction drawings approved by the Utilities Director, and shall be subject to the inspection and approval of the Utilities Director.
- F. Prior to issuance of any permit, the subdivision developer shall prepay the Town for one hundred twenty (120) percent of the estimated Out-of-Pocket Costs the Utility Director estimates the Town will incur in designing and installing all Sewer Lines outside of the subdivision required to serve the subdivision. When installation of the lines is completed by the Town, the Town will reimburse the developer for any portion of the prepayment not incurred by the Town or the developer shall pay the Town for any costs incurred above the prepayment.
- G. The location and size of all Sewer Lines shall be in accordance with the Wastewater Master Plan if indicated therein. If the location and size of the Sewer Lines is not indicated in the Wastewater Master Plan, the Utilities Director shall determine the size and location of the lines. The Utilities Director shall be the final authority in making such determination.

## **7-2-13 SEWAGE CHARACTERISTICS**

- A. No Person shall discharge anything but Sewage into the Sewer System.
- B. No Person shall discharge any Drainage Water, Prohibited Sewage, or Prohibited Substances into the Sewer System.
- C. Prohibited Sewage is wastewater that:
  - 1. Contains Prohibited Substances, as indicated in D, below.
  - 2. Has a pH less than 5.5 or greater than 9.5.

3. Has a corrosive property capable of causing damage to any portion of the Sewer System.
4. Is discharged as a Slug.
5. Has a temperature higher than one hundred fifty (150) degrees Fahrenheit.
6. Causes interference with the Wastewater Treatment Facility.
7. Has been diluted to reduce the concentration of toxic materials or Prohibited Substances.

D. Prohibited Substances include:

1. BOD greater than 300 milligrams per liter.
2. COD greater than 400 milligrams per liter.
3. TSS greater than 300 milligrams per liter.
4. TDS greater than 200 milligrams per liter more than the TDS found in the Town sewer system.
5. Fats, grease, wax, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter.
6. Any of the following metals in concentrations greater than one hundred fifteen (115) percent of the concentration found in the Town sewer system: Antimony, arsenic, barium, beryllium, bismuth, boron, cadmium, chromium (hexa and tri), cobalt, copper, iron, lead, manganese, mercury, molybdenum, nickel, rhenium, selenium, silver, strontium, tellurium, tin, uranyl ion, zinc.
7. Gasoline, benzine, naphtha, fuel oil, diesel fuel or other flammable or explosive liquid, solid, or gas.
8. Motor oil.
9. Antifreeze.
10. Herbicides or pesticides.
11. Septage.
12. Toxic or poisonous solids, liquids, or gases in sufficient quantity (either singly or by interaction with other wastes) to injure or interfere with any wastewater facility, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the Wastewater Treatment Facility's receiving water or residuals disposal methods.

13. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in Grinder Pumping Units, Pressure Service Lines, or Pressure Sewer Lines or causing interference with the proper operation of the Sewer System. These substances include, but are not limited to ashes, cinders, sand, mud, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, manure, hair, entrails, paper dishes, paper cups, milk containers, plastic eating utensils, and straws either whole or ground by garbage grinders.
14. Substances that may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit.
15. Garbage that has not been properly shredded.
16. Garbage from any shredder or grinder larger than those normally manufactured and sold for residential and noncommercial use or from more than one shredder or grinder discharging to a Grinder Pumping Unit.
17. Substances, which are not amenable to treatment or reduction by the Wastewater Treatment Facility such that the treated water or residuals do not meet applicable legal or regulatory requirements.
18. Water or wastes from vehicle repair facilities, industrial facilities, equipment repair facilities, or from any other commercial or institutional facility or operation which could generate any process, spill, or wash down wastewater (with the exception of strictly Domestic Sewage and/or Permitted Sewage) shall be discharged from such facilities only if the Customer's facilities and drainage arrangements provide positive physical protection so other water or wastes cannot reach the Customer's Gravity Service Line.

#### **7-2-14 DAMAGE TO SEWER SYSTEM**

- A. It shall be unlawful for any Person to remove or damage any part of the Sewer System, or to excavate any street, alley, sidewalk or Easement without the permission of the Utilities Director.
- B. The sewer system is hereby classified as "High Profile" that requires the New Mexico One-Call Notification and line exposure when working within five (5) feet of the Sewer System.
- C. Any person or utility company is required to obtain a New Mexico One Call Notification for all work requiring an excavation of any kind. The utility company shall notify the Town when a crew is on its way to allow the Town Utility Department personnel to be present to approve the ticket.
- D. Any damage to the Sewer System caused during excavation without a New Mexico One Call Notification will result in a damages fee of \$250.00 plus the cost of the repair and/or replacement to the Sewer System. Failure to obtain a New Mexico One Call prior to digging will result in issuance of a Citation by the Town of Peralta.

- E. Any damage to the Sewer System caused during excavation with a permit as a result of negligence will result in a charge of the cost of the repair and/or replacement to the Sewer System and Town streets.
- F. Any Contractor conducting subsurface work shall obtain a permit from the Town.

#### **7-2-15 EMERGENCY SHUTOFF TO REPAIR SYSTEM**

- A. The Utilities Director shall have the right at any time to shut off any Grinder Pumping Unit and/or any Pressure Sewer Line for the purpose of any emergency repairs. The Utilities Director shall provide reasonable notice for any other necessary maintenance repairs.

#### **7-2-16 CONNECTION FEES**

- A. Connection fees are due with the submission of an Application.
- B. Fees for connecting to the Sewer System shall be as follows:
  - 1. Single Grinder Pumping Unit: As determined in the Rate and Fee Attachment.
  - 2. Double Grinder Pumping Unit: As determined in the Rate and Fee Attachment.
  - 3. Plus the cost for materials and installation of each linear foot of Service Line required above 100 linear feet from the grinder pump to the street.
  - 4. The Rate and Fee Attachment shall be established and may be amended periodically by resolution of the Governing Body.
- C. An Applicant may sign a note with the Town and pay the connection fee as follows for each Grinder Pumping Unit the Applicant requires:
  - 1. Twenty percent (20%) down with Application, minimum
  - 2. The Town will finance the remaining balance for a specified period of time with a specified monthly interest rate on the unpaid balance. The Property Owner may select from three payment term options.
    - i. A twenty-four (24) month term at an interest rate of 1.0 percent per month.
    - ii. A thirty-six (36) month term at an interest rate of 1.5 percent per month.
    - iii. A forty-eight (48) month term at an interest rate of 2.0 percent per month.
    - iv. The final payment with interest will be due and payable on the final month of the term following the date the note is executed by the Applicant.
  - 3. Should an Applicant/Customer fail to make the note payments when due:

- i. The remainder of the note shall become immediately due.
- ii. Should the Applicant/Customer demonstrate to the Clerk/Administrator that an economic hardship exists; a time extension for payment may be granted. The Clerk/Administrator shall be the final authority in determining if a time extension shall be granted.

4. The Town shall bill note payments with the Customer's monthly sewer bills.

D. For any Customer where the served property is outside the municipal boundaries of the Town, in addition to the connection fee determined by the Governing Body, the Customer shall pay the Out-of-Pocket Costs incurred in extending the Pressure Sewer Line and installing the Pressure Service Lateral required to provide Service.

E. For any Customer requesting an existing Grinder Pumping Unit to be relocated on the served property, the Customer shall pay the Town all Out-of-Pocket Costs incurred in moving, replacing, partially replacing, disconnecting, and reconnecting the Customer's Grinder Pumping Unit which may include an additional connection fee.

F. If a Customer is required to replace an existing Single Grinder Pumping Unit with a Double Grinder Pumping Unit due to water usage above that allowed for a Single Grinder Pumping Unit as indicated by excessive service alarms, or if a Customer is required to install additional Grinder Pumping Units:

- 1. A new or amended Application shall be submitted with an additional connection fee. The connection fee shall be determined as if the building were not served by a Private Sewage Disposal Unit prior to connection to the Sewer System.
- 2. The Customer shall have the existing Control Panel (except for buried wires) removed by the Customer's electrician and returned in reusable condition to the Town. The Town may, but is not required to, remove part or all of the existing Grinder Pumping Unit and/or Pressure Service Line.
- 3. The installation of the Grinder Pumping Unit, Control Panel, and Service Line will be as if the property had not had Service and had never been served with a Private Sewage Disposal Unit.

#### **7-2-17 SEWER USE FEES**

A. The Town shall impose reasonable and appropriate rates, fees, and charges for sewer service to customers. The amount of the rates, fees, and charges shall be established and may be amended periodically by resolution of the Governing Body in the Rate and Fee Attachment.

B. Rates, fees, and charges for each class of Customer shall be set at just and equitable rates, sufficient in the aggregate to meet costs of treatment at the Wastewater Treatment Facility and the Town's costs of operating and maintaining the sewer system at such time as Owners of all properties to which the service is available have made connections to the system.

- C. To provide adequate funds for operation for the sewer system if rates, fees, and charges are insufficient, the Governing Body may by resolution specifically provide funding for operation and maintenance of the sewer system from other available sources of funds.
- D. Monthly charges for wastewater service shall be as established by resolution of the Governing Body, and will include both a monthly base charge for use of the Grinder Pumping Unit and a commodity charge for wastewater treatment at the Wastewater Treatment Facility, which may be assessed on the Liquid Waste Design Flow Rate for the facility served or as dictated by the Wastewater Treatment Facility.
  - 1. For commercial facilities, the Liquid Waste Design Flow Rate shall be determined in accordance with the following table, as set forth in Section 20.7.3.201 NMAC, or with any revision, amendment, or supplementation thereof subsequently adopted by NMED.

TYPE OF OCCUPANCY	GALLONS PER DAY
1. Airport, Bus Terminal, Train Station	20 per employee 5 per passenger
2. Beauty & Barber Shop	75 per service chair
3. Bowling alleys (snack bar only)	75 per lane
4. Bed and Breakfast	150 first bedroom 100 each additional bedroom
5. Camps: campground with central comfort station with flush toilets, no showers day camps (no meals served) summer and seasonal	35 per person 25 per person 15 per person 50 per person
6. Churches (Sanctuary) with kitchen waste	2 per seat 7 per seat
7. Dance hall	5 per person
8. Doctor and Dentist Office	250 per practitioner, 15 per employee
9. Factories, excluding industrial waste: per 8-hour shift no showers with showers cafeteria, add	25 per employee 35 per employee 5 per employee
10. Food Operations: Restaurants operating 16 hours or less per day Restaurants operating more than 16 hpd Bar, cocktail lounge add per pool table or video game Carry out only, including caterers add per 8-hour shift Food outlets only add for deli add for bakery	40 per seat 60 per seat 20 per seat 15 each 50 per 100 sq ft floor space 20 per employee 10 per 100 sq ft floor space 40 per 100 sq ft floor space 40 per 100 sq ft floor space

	add for meat department add per public restroom	75 per 100 sq ft floor space 200
11.	Hotels, Motels, Lodges laundries, lounges and restaurants calculated separately	60 per bed
12.	Institutions (resident) nursing homes rest homes	75 per person 125 per person 125 per person
13.	Laundries self-service (minimum 10 hours/day) commercial	50 per wash cycle per manufacturer's specifications
14.	Offices	20 per employee per 8-hour shift
15.	Parks: picnic park - toilets only	20 per parking space
16.	Recreation Vehicles (RV) Park without water hookup with water and sewer hookup RV dump stations	75 per space 100 per space 50 per RV
17.	Schools - staff and office elementary and day care intermediate and high boarding, total waste gym and showers, add with cafeteria, add	20 per person 15 per student 20 per student 100 per person 5 per student 3 per student
18.	Service stations and convenience stores uni-sex restrooms	400 per toilet 800 per toilet
19.	Stores public restrooms	20 per employee 10 per 100 sq ft. floor
20.	Swimming and bathing places, including spas and hot tubs, public	10 per person
21.	Theaters, auditoriums Drive-ins	5 per seat 10 per space
22.	Veterinary Clinic add add	250 per practitioner 15 per employee 20 per kennel, stall, or cage

2. As an alternative to the commodity charge based on the Liquid Waste Design Flow Rate as set forth in the foregoing table, the owner of a commercial facility may request that the Town permit installation of a totalizing flow meter on the sewer connection between the grinder pump and the connection to the sewer system, which totalizing meter will be acquired and installed entirely at the customer's expense. The make and model of the flow meter and the design of the installation shall be approved by the Town Utility Department prior to installation. After installation, the Town will cause the flow meter to be read monthly, and the commodity charge shall be based on flow meter readings so long as the meter is fully functional and operating properly. Necessary service, maintenance, repairs, and if necessary, replacement of the flow meter shall be the responsibility of the customer.

- E. The monthly sewer use fees shall be initiated at the time of connection to the Sewer System (installation of the Grinder Pumping Unit) unless prior arrangements have been made.
- F. The applicable fee shall continue to be due for any installed Grinder Pumping Unit to which Service has been discontinued by the Town under the provisions of this Ordinance.
- G. Monthly fees and bills shall be determined for a monthly billing period, not for a calendar month.
- H. Monthly fees shall be due without prorating for any portion of a month or monthly billing period during which Service is provided.
- I. Monthly bills shall be due within twenty (20) days following the date the statement was mailed.
- J. July 1 of each year, the minimum monthly fees contained in this Ordinance shall be adjusted automatically to reflect a 2% cost of living increase.

#### **7-2-18 SPECIAL CHARGES**

- A. The Town may assess special charges to a Customer for any Out-of-Pocket Costs incurred by the Town beyond the normal costs the Town incurs in providing service to similar Customers. Special charges shall be made for, but are not limited to these situations:
  - 1. Costs associated with sampling, analyzing and evaluating the Customer's wastewater and the effect of such wastewater on the Sewer System when such wastewater is found to be Prohibited Sewage and thereafter for verification of compliance with the Ordinance as the Utilities Director deems appropriate.
  - 2. Costs associated with repairing or replacing components of the Sewer System, which are damaged or destroyed by the actions of the Customer or by any of the Customer's wastewater discharged to the Sewer System.
  - 3. Costs associated with restoring a salvaged Grinder Pumping Unit to reusable condition or replacing the Grinder Pumping Unit if a unit is no longer in use due to the Customer requiring a larger unit or requesting a unit be relocated on the served property.
  - 4. Costs associated with more than a single inspection of work performed or components installed by an Applicant's licensed electrician and/or an Applicant's licensed plumber.
  - 5. Costs beyond routine inspections associated with verifying compliance with the Grease Trap and Sand Trap requirements of this Ordinance.
  - 6. Costs associated with inspection of the Sewer Lines and Service Laterals installed by a subdivision developer.

7. Costs associated with enforcing this Ordinance.

#### **7-2-19 DELINQUENT PAYMENTS**

- A. Any bill not paid within twenty (20) calendar days after it is sent shall be deemed delinquent and shall be subject to interest at the rate of twelve percent (12%) per annum, compounded monthly. Interest shall be imposed upon all payments in arrears, whether for sewer charges, connection fees, or any other charges or fees due on the account.
- B. The Town may assess an additional ten percent (10%) penalty to cover the associated costs and charges in maintenance and administrative costs for the delinquent account.
- C. The Property Owner shall bear all costs associated with the lien, including fees for filing and releasing the lien. See "Additional Remedy", Section 7-2-25.

#### **7-2-20 CHANGE OF OWNERSHIP/OCCUPANCY**

- A. Upon the sale of any property served by the Town's sewer system, it is the responsibility of the owner leaving the premises to notify the Town and provide appropriate documentation of the change in ownership.
- B. It is the responsibility of the purchaser of the property to make inquiry to any outstanding charges for service to the property. The Town shall have no liability for any failure to make such inquiry.
- C. The incoming owner shall submit an application for service to the Town no later than five (5) days after taking possession of the property. An administrative transfer fee and deposit shall be collected with the application for service.
- D. Upon receipt of an application for service by the new owner, the Town will direct any future bills to the new owner. Any unpaid fees or charges, including deferred rates or charges, such as but not limited to, deferred payment of construction costs and any interest thereon, shall be paid in full prior to any change in ownership.
- E. Payment of all rates, fees, and charges for sewer service is the responsibility of the owner of the property served, notwithstanding any statement to the contrary in any lease, tenancy, or land use agreement. Rates, fees, and charges for sewer service shall, until fully paid, be a lien upon the property served.

#### **7-2-21 DISCONTINUATION OF SEWER CHARGES**

- A. Service shall not be terminated to any occupied property in response to Customer's request after a Grinder Pumping Unit has been installed, except as allowed by this Ordinance.
- B. Should a residential unit or commercial facility be reasonably expected to be entirely unoccupied for a continuous period totaling at least three (3) months, the owner may apply for disconnection of service during the period that the residential unit or commercial facility is unoccupied. The Utilities Director shall inspect the premises, or

cause the inspection of the premises, to ensure that the premises are actually unoccupied during the period of discontinued service. The Utilities Director or his designated representative shall remove the pump core from the Grinder Pumping Unit and sewer charges shall cease as of the first day of the following month.

- C. Upon receipt of a written statement by the owner of a lot or parcel of property which has previously been connected to the public sewer system that there is no longer any building or structure for human occupation or use or for any business purpose located thereon and that the toilet and other facilities therein have been removed, disconnected, and properly plugged from the Town sewer system, and upon inspection by the Utilities Director or his designated representative to ascertain that the statement is true, the sewer charges shall cease as of the first day of the following month. The Utilities Director or his designated representative shall remove the pump core from the Grinder Pumping Unit.
- D. Service shall be restored once the property has been re-occupied.
- E. Disconnections will not be assessed a disconnect fee. Reconstructions will be assessed a fee, as described in the Rate and Fee Attachment.

#### **7-2-22 NOTICES**

- A. When the Town is required by this Ordinance to notify a Customer or potential Customer, such notice shall be deemed to have been made if the Town:
  - 1. Hand delivers a notice to the Customer's served property,
  - 2. Includes a notice with the Customer's utility bill mailed to the Customer, or
  - 3. Mails a notice to the Customer by first class mail.

#### **7-2-23 FORMS AND STANDARDS**

- A. The Town Administration may develop, use, and revise forms for the administration and implementation of this Ordinance. An indexed copy of the latest edition of the forms shall be maintained at the Town for public inspection.
- B. The Town Administration may develop, use, revise, and enforce standards for the design and construction of the Sewer System and for the materials to be used as part of the Sewer System. An indexed copy of the latest edition of the standards shall be maintained at the Town offices for public inspection.
- C. Size and Number of Grinder Pumping Units required:
  - 1. The Utilities Director shall have the final authority in determining the size and number of Grinder Pumping Units required.

## **7-2-24 PENALTY**

### **A. Penalties – Continuing violations.**

1. Every person deemed in violation of this Ordinance shall be cited to the Town Municipal Court by the Utilities Director or Code Enforcement Officer.
2. Every person convicted of a violation of this Ordinance shall be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety days, or both.
3. Each day this chapter is violated shall constitute a separate offense.
4. The conviction and punishment of any person for a violation shall not excuse or exempt such person from the payment of any fee due or unpaid at the time of such conviction and nothing in this chapter shall prevent a criminal prosecution of any violation of the provisions of this Ordinance.

### **B. Remedies Cumulative – Liens.**

1. All remedies prescribed or liens created under this Ordinance or under the provisions of the law for collection and enforcement of the fees shall be cumulative and the use of one or more remedies by the Town shall not bar the uses of any other remedy for the purpose of enforcing the provisions of this Ordinance created by law.
2. The fees authorized by this Ordinance shall be a lien in favor of the Town upon the real property serviced and the personal property of the person used in connection with the sewer use which gave rise to the fee and such lien shall be imposed, collected, enforced and paid as provided by the law.
3. No property of any persons shall be exempt from levy and sale on execution issued for the collection of a judgment for any fee imposed by this chapter.

## **7-2-25 ADDITIONAL REMEDY**

- A. Any charge authorized in this Ordinance is a lien and superior to all other liens except general property taxes upon the property so charged and is a personal liability of the Owner of the Property so charged. The lien shall be enforced as provided in the NMSA, 1978, Section 3-36-1 through 3-36-7. .
- B. The Property Owner shall bear all costs associated with the lien, including fees for filing and releasing the lien.

## **7-2-26 SEVERABILITY**

- A. If any section, subsection, paragraph, phrase or other portion of this Ordinance shall be declared invalid for any reason whatsoever by a court of competent jurisdiction, then

such decision shall not affect the validity or enforceability of the remaining portions of this Ordinance.

#### **7-2-27 UTILITIES BOARD**

A. The Town of Peralta Council shall appoint a five member Utilities Board to address items as identified in this Ordinance, hear appeals or complaints that the Sewer Service Ordinance does not clearly answer, or address special circumstances that may arise. The Utilities Board shall consist of two members of the Governing Body, one Planning and Zoning Commissioner, and two Town Residents. At least one Town Resident shall be connected to the sewer system. All decisions of the Utilities Board may be appealed pursuant to Section 7-2-5.F.3 of this Ordinance.

PASSED, ADOPTED AND APPROVED BY THE GOVERNING BODY OF THE TOWN OF PERALTA, NEW MEXICO, THIS 25<sup>th</sup> DAY OF OCTOBER, 2016.

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Honorable Bryan R. Olguin, Mayor

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Michael Leon Otero, Mayor Pro-tem

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Joseph Romero, Councilor

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Randy Smith, Councilor

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Claudio Moya, Councilor

ATTEST:

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Julie Pluemer  
Clerk/Administrator