

**CITY OF ELEPHANT BUTTE  
ORDINANCE NO. 225**

**AMENDING THE PROVISIONS OF SECTION 51 SEWER – FEE REQUIREMENTS**

**WHEREAS**, the Code of Ordinances of the City of Elephant Butte contains the sewer ordinance 119, passed May 20, 2009, in chapter 50.

**WHEREAS**, a review of the provisions of the ordinance has shown the need for an amendment to the provisions relating to the fee requirements; and

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Elephant Butte that Ordinance 119, Chapter 51 be amended as follows:

***Section One.*** That section 51.30 shall be amended to read as follows:

**§ 51.30 FEE REQUIREMENTS.**

Properties being served by the Sierra County Regional Wastewater Treatment System shall be subject to the following fees. The amount of each fee shall be determined by resolution of the City Council and shall be adjusted from time to time to meet maintenance and operating expenses.

(A) Development/capacity fee. There will be a fee allowing connection to the Sierra County Regional Wastewater Treatment System for the purpose of providing plant capacity to serve the customer. Development and capacity fees will be established by resolution. This is effective for all infrastructure wastewater projects after Phase 4B, all eligible connections with Phase 4B will remain under the previous code of waiving the capacity fee if service was established at a property prior to March 31, 2006.

(B) Connection costs. The cost of connection for any new service shall be the responsibility of the lot owner, as follows:

(1) For an existing residence or commercial enterprise, connection costs include running a line from the residence or commercial source to the property line and connecting to the sewer main stub out, and decommissioning and abandoning the existing septic system following NMED and EPA guidelines.

(2) For a new residence or commercial enterprise, connection costs include running a line from the residence or commercial source to the property line. In cases where there is no stub out from the sewer main line to the property line, owner shall bear all costs involving a connection from the source to the sewer main.

(C) Service deposit fee. For residential customers a set fee will be established by a fee resolution. For commercial customers a fee equal to two and a half months service charge which is held on deposit and may be used to cover delinquent bills.

(D) Residential or commercial monthly service fee.

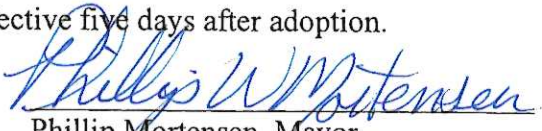
(E) Administrative set-up fee. A one-time charge for setting up the customer account.

(F) Any owner not connecting within the required twelve months will be billed monthly charges as if they were connected. Late fees and penalties will accrue if payment is not made.

**Section Two.** All other provisions of the Sewer Ordinance not specifically amended in section one herein, shall remain unchanged and in full force and effect as written.

**Section Three.** Effective date. This ordinance shall become effective five days following publication of adoption.

PASSED, APPROVED AND ADOPTED by the Governing Body of the City of Elephant Butte, New Mexico, this 11 day of June 2025. Effective five days after adoption.

  
Phillip Mortensen, Mayor

Attest:

  
Lindsey Cobleigh, City Clerk

