

VILLAGE OF WILLIAMSBURG

ORDINANCE NO. 72 - 1981/82

AN ORDINANCE RELATING TO THE MUNICIPAL SANITARY SEWER SYSTEM: REQUIRING SEWER CONNECTIONS WHERE SERVICE AVAILABLE: ESTABLISHING CONNECTION RATES, SERVICE AND CHARGES, AND PROVIDING FOR THEIR COLLECTION: REPEALING ORDINANCE NO. 57, AS AMMENDED: PROVIDING FOR THE DISCONTINUANCE OF SERVICE FOR NON-PAYMENT OF RATES AND CHARGES: PROVIDING PENALTIES FOR ILLEGAL ACTS: AND MAKING OTHER PROVISIONS INCIDENTAL THERETO.

BE IT ORDAINED by the Governing Body of the Village of Williamsburg, New Mexico, that:

SECTION 1. TITLE.

This ordinance may be cited as the Village of Williamsburg sanitary sewer ordinance.

SECTION 2. MANAGEMENT OF THE SEWER SYSTEM.

The management of said sewer system, the care, maintenance, operation and repair or extension therefor, and the connections therewith by private parties, shall be under the jurisdiction of the Village of Williamsburg. Record of connections made and of those abandoned or shut off, and the name or names of the party or parties connecting or disconnection, and the dates thereof, shall be kept by the Village Clerk.

SECTION 3. MANDATORY SEWER CONNECTIONS.

A. Effective January 1, 1983, it shall be mandatory that any owner of a building or buildings within the corporate limits of Williamsburg which is accessible to a sanitary sewer line located within one-hundred (100) yards of said premises connect such building or buildings to said sanitary sewer line and pay the connection fee and monthly sewer service charges therefor.

B. All owners of a building or buildings within the corporate limits of Williamsburg, which said building is accessible to a sanitary sewer line located within one hundred yards of said premises, shall be assessed at least the minimum monthly residential charge for sewer service as provided in Section 9 of this ordinance, whether or not the premises are connected to the Williamsburg sewer system and whether or not they are occupied.

C. Any person, whether owner, agent, or occupant of any building or buildings situated on any lot of land abutting any main lateral or sublateral of the sewer system of the Village of Williamsburg as presently constructed or hereafter extended, desiring to connect to the sewer system must obtain a permit from the Village Clerk. The permit must state the name of the person, street address, post office box number, telephone number, and the name of the person who will do the work. All work done on the installation of a sewer line is at the expense of the person obtaining said permit.

SECTION 4. NEW SEWER LINES AND SEWER CONNECTIONS.

A. The sewer lines and sewer connections added to the Village of Williamsburg sewer system shall conform to the design and construction guidelines enumerated in the latest edition of "Recommended Standards for Sewage Works", written by the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers and published by the Health Education Service, P.O. Box 7283, Albany, New York 12224. In addition, new sewer design and construction shall conform to "Addenda to Recommended Standards for Sewage Works" written and published by the Environmental Division, New Mexico Health and Environmental Department.

B. Specifications.

1. Sewer service lines and fittings for residential purposes shall be either three inches (3") or four inches (4") in diameter in size. The only approved lines and fittings permitted for installation are ABS and PVC Schedule 40.

2. Sewer service lines and fittings for commercial purposes shall be four inches (4") or larger in diameter in size, depending upon the type and quantity of commercial waste anticipated, and as approved by the Williamsburg Board of Trustees. Grease and oil traps shall be installed in all commercial facilities for retail or wholesale petroleum products, garages, restaurants, or other facilities from which heavy discharge of grease or oil is anticipated. The type and capacity of all such traps shall be as approved by the Board of Trustees, and each such installation shall be located so as to be readily accessible for cleaning and inspection.

C. Dual Sewer Taps.

1. A "dual sewer tap" is one connected to a main sewer line in Williamsburg, where the sewer line runs onto private property, is connected to one or more residences on that same lot, or which extends through that lot to adjoining lot or lots where it is or may later be connected to other residence or residences.

2. Dual sewer taps consisting of two separate taps and two sewer lines connected to residences on two lots are permitted provided:

a. There is no direct access to a main sewer line within one hundred (100) yards of the lot to which the second line extends; and

b. The owner of the lot which the dual line first enters conveys to the owner of the adjacent lot to which one sewer line extends, an easement granting permanent permission for the installation, repair and maintenance of said sewer line. Should both lots be owned by the same person(s), an easement shall be conveyed "To Whom It May Concern"; and

c. Copies of said easements shall be provided the Williamsburg Village Clerk and shall be recorded by the property owners(s) in the Office of the Sierra County Clerk.

3. Dual sewer taps consisting of one tap and one sewer line are permitted where the line is connected to more than one residence on the same lot.

4. Provisions of this Section are applicable to the installation of sewer lines and sewer connections on all undeveloped lots or other land area within the corporate limits of the Village of Williamsburg.

5. The owner, lessee or occupant of each residence connected to the Williamsburg sewer system, whether located on the same or a separate lot, shall be assessed a monthly sewer service charge for each residence.

SECTION 5. NEW CUSTOMERS - NOTIFICATION OF SEWER CONNECTIONS.

A. Any builder, general contractor, mobile home or trailer dealer or manufacturer, plumber, or any other individual, company, corporation, municipality, or any other entity, who connects or arranges for the connection of any premises to the Williamsburg sewer service shall:

1. Obtain a Sewer Connection Permit from the Williamsburg Village Clerk; or
2. Obtain a copy of the Sewer Connection Permit from the person or persons for whom the sewer connection is being installed; and
3. Notify the Williamsburg Village Clerk within five (5) days after completion of a sewer connection to the Williamsburg sewer system, by returning to the Village Clerk an executed copy of the pertinent Sewer Connection Permit.

B. Any property owner, lessee or occupant of any premises within the corporate limits of Williamsburg who installs a sewer connection without the services of a licensed plumber is in violation of this Ordinance unless that person has obtained a Home Owner's Permit from the Williamsburg Village Clerk. Sewer installation under a Home Owner's Permit is subject to inspection by the State of New Mexico Plumbing Inspector. The property owner, lessee, or occupant of any premises connected to the Williamsburg sewer system under a Home Owner's Permit shall notify the Williamsburg Village Clerk within five (5) days after completion of a connection to the Williamsburg sewer system, by returning to the Village Clerk an executed copy of their Sewer Connection Permit.

SECTION 6. MAINTENANCE AND REPAIR COSTS.

The cost of maintenance and repairs to laterals from the main sewer lines to and including the customer's property shall be paid for by the property owner or resident.

SECTION 7. PAYMENT FOR SERVICES - NOTIFICATION BY CUSTOMER.

A. Charges for sewer service to property owners or residents of the Village of Williamsburg shall be prepared and mailed out by the Utility

Department of the City of Truth or Consequences. Charges shall be in accordance with service charges noted in Section 9. Payment for such services shall be made at the Utility Department Office of the City of Truth or Consequences.

B. Any property owner, lessee or occupant of any premises within Williamsburg which is connected to the Williamsburg sewer system and whose City of Truth or Consequences utility bill does not reflect monthly sewer service charge, shall notify the Village Clerk of this discrepancy within thirty (30 days after receipt of the first incorrect utility bill.

C. Any property owner, lessee or occupant of any premises connected to the Williamsburg sewer system who has not been billed for sewer service charges shall be assessed the minimum sewer service charge for each month since the sewer connection was installed, plus one percent (1%) of penalty per month. This assessment and penalty shall be paid to the Williamsburg Village Clerk, as an exception to provisions of Section 7A above.

SECTION 8. HOOKUP OR CONNECTION CHARGE.

A. The final hookup or connection charge for those property owners or residents who, during the construction of the sewer system, had a service line installed to their property line from a main lateral or sublateral is \$10.00 until October 31, 1982 and thereafter \$25.00.

B. Effective immediately, upon adoption of this ordinance, the hookup or connection charge, when the sewer service line is installed from the main sewer line or sublateral or manhole to the property line shall be the charge charged to the Village of Williamsburg by the City of Truth or Consequences or a licensed plumbing contractor, which charge shall be passed directly through to the customer, plus a \$10.00 final connection charge (\$25.00 after October 31, 1982, as provided above). When this is necessary, the excavation and restoration of the cut in the street, easement, or alley, must be done through the direction and approval of the City of Truth or Consequences. A deposit of \$60.00 shall be made by the customer at the time of the placing of an order and issuance of permit for sewer service, which shall be credited against the expenses as stated in this paragraph.

SECTION 9. SERVICE CHARGES.

A. Users of City Water. The monthly service charge (subject to the hereinafter stated minimum charge) shall be based on the amount of water consumed during that period, as registered by the customer's water meter. If the customer is not connected to the sewer system, the minimum monthly charge shall be assessed.

1. Residential Customers. All residential customers shall pay a minimum monthly service charge for the first five thousand (5,000) gallons or less of water plus an additional charge for all water in excess of five thousand (5,000) gallons, regardless of whether or not said customers are hooked to the sewer system or consume any water.

a. Through the December 1982 billing period, due and payable January 10, 1983, the minimum monthly service shall be four dollars and fifty cents (\$4.50). Effective with the January, 1983 billing period, due and payable February 10, 1983, the minimum monthly service charge shall be five dollars and fifteen cents (\$5.15), plus forty-five cents (\$.45¢) customer billing charge, which charge shall be passed directly through to the customer from the Utility Department of the City of Truth or Consequences. Charges shall be in accordance with service charges noted in Section 9. Payment for such services shall be made at the Utility Department Office of the City of Truth or Consequences.

b. Each residential customer shall pay seven cents (\$.07) for each one thousand (1,000) gallons or portion thereof in excess of five thousand (5,000) gallons of water used during the monthly billing period.

2. Business and Commercial Customers. The monthly sewer service charge for business or commercial customers shall be one hundred percent (100%) of the cost of water consumed during the monthly billing period.

B. Non-Users of City Water. The monthly service charge for customers using wells, or some water source other than the City of Truth or Consequences and who are connected to the sewer system, shall be five dollars and fifteen cents (\$5.15) per month.

SECTION 10. PENALTY FOR NON-PAYMENT.

Date shown on the sewer bill is the reading date. The bill is due and payable by the 10th of the following month. Service may be discontinued if the bill is not paid by the 30th day following the due date. A charge of \$10.00 shall be made for reconnection. When the property owner has failed to pay the sewer service charge within sixty (60) days of the reading date of the bill, a lien shall be placed against the property in accordance with Section 3-36-1 through 3-36-6 of the New Mexico Municipal Code.

SECTION 11. SEWAGE DISCHARGE REQUIREMENTS.

No person shall be permitted to discharge commercial or industrial waste, refuse, or sewage into the public sewer system of the Village of Williamsburg without first obtaining a permit from the Village; and the Mayor, before giving his approval, shall ascertain whether or not such connections will be detrimental to the sewer system. No commercial or industrial waste refuse, or sewage shall be discharged into the public sewer system until the duly qualified representative or agent of the Village of Williamsburg has determined beyond reasonable doubt that such waste, refuse, or sewage do not contain ingredients, chemicals or other material of such a nature that will not permit the proper, efficient, successful and continuous operating and functioning of the sewage disposal works in a continuous and efficient manner. See Village of Williamsburg Ordinance No. 45, as amended.

SECTION 12. DEPOSITING PROHIBITED MATERIAL:  
TAMPERING WITH CONNECTIONS:  
CREATING A NUISANCE.

Any persons who deposit or throw into any sewer line, manhole, or drain or inlet any straw, shavings, ashes, rocks, stones, bricks, dead animals, or any kind of rubbish or substance which shall or may cause the drain or sewer line to be choked up or stopped, or

Who shall wilfully tamper with the connections leading to the main lateral of the sewer system, or shall shut off any connection properly made, or shall reopen any connections which have been discontinued by the proper authorities, or

Who shall discharge sink, tub, bathtub, shower, washing machine, or dishwasher onto the ground instead of the sewer system or septic tank shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as prescribed in Section 13 of this Ordinance, and in addition shall be liable for all costs for repairing the damage to the sewer system caused by such act.

SECTION 13. PENALTY.

Any 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 not to exceed ninety (90) days, or both fine and imprisonment.

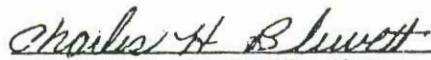
SECTION 14.

If any provision of this Ordinance shall be declared void or unconstitutional, such declaration shall not affect the remaining portions of this Ordinance.


SECTION 15. REPEAL.

Ordinance No. 57, as amended and all ordinances or parts of ordinances in conflict of the provisions of this ordinance are hereby repealed.

PASSED, APPROVED, AND ADOPTED this 14th day of June, 1982,  
at Williamsburg, Sierra County, New Mexico.

  
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CHARLES H. BLEWETT, Mayor  
Village of Williamsburg

ATTEST:

  
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RUTH M. TALLEY, Clerk-Treasurer  
Village of Williamsburg