

WATER ORDINANCE #24-03
AMENDING ORDINANCE #05-17
SECTION 440-9 – PAYMENTS; DELINQUENCIES; LIENS; DISCONNECTIONS
AN ORDINANCE AMENDING SECTION 440-9 – PAYMENTS; DELINQUENCIES; LIENS;
DISCONNECTIONS OF THE CITY OF LAS VEGAS WATER ORDINANCE

WHEREAS, the present section amends the Payments; Delinquencies; Liens; Disconnections;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO, THAT SECTION 440-9 OF THE WATER ORDINANCE BE AMENDED AS FOLLOWS:

§ 440-9 Payments; delinquencies; liens; disconnections.

A. Unless otherwise provided, billings shall be made on a monthly basis. All amounts due shall be payable when billed and shall become delinquent if not paid by the due date, a minimum of 20 days from billing.

[Amended 7-20-2005 by Ord. No. 05-11; 9-21-2005 by Ord. No. 05-17]

B. The City may take the following actions in response to delinquent user fees:

(1) If payment of any amount due is not made by the due date the bill is deemed delinquent and the customer will be given 15 calendar days from the date the bill is deemed delinquent before utilities to the property are discontinued and shall not be again resumed until payment of amounts due, plus any penalties and interest, have been paid in full or an arrangement has been made. Reasonable notice and right to protest must be given to the customer prior to actual cut off of utilities. The City's Customer Service Divison shall notify the customer of delinquent amounts and that service shall be terminated on a particular date, not less than 15 days after mailing of the notice. Each delinquent notice shall contain the following language:

[Amended 7-20-2005 by Ord. No. 05-11; 9-21-2005 by Ord. No. 05-17]

“This is to notify you that unless you bring your utility account(s) current, your service(s) will be cut off 15 days after the date this notice was mailed. You have the right to protest this termination as unjustified if you believe that you have been overcharged or charged for services not rendered. If you believe there is a mistake in this billing, you have the right to be heard and to present your argument and evidence. The City will evaluate your complaint and determine whether you owe the amounts in question. To protest this billing, you must contact the City's Collection Agent, at 454-1401, prior to the cutoff date.”

(2) If a customer is delinquent in the payment of utilities at one location, the customer shall not be entitled to service at another location until such prior delinquency has been paid.

(3) If utilities owed are not paid to the City within six months after the initial billing date, a lien against the property shall be filed according to New Mexico State Statutes.

(4) The City may disconnect the private service line of the delinquent account from the City distribution main.

C. Late Payment fee. All amounts billed for utilities or other charges specified in this chapter shall be due and payable when the bill is issued, and shall become subject to a late payment fee in the event the customer fails to pay any amount due at the time of the issuance of the next bill. The City shall assess a fee of 1.25% per month to amounts which have not been paid at the time of the issuance of the next bill. The fee shall be compounded for each month for which amounts remain unpaid.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2024.

Mayor David Romero

ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY

City Attorney