

1 **RESOLUTION ESTABLISHING AN ENVIRONMENTAL SURCHARGE PERTAINING TO**
2 **THE COLLECTION OF SOLID WASTE AND RESIDENTIAL RECYCLABLES**

3 WHEREAS, pursuant to provisions of Nevada Revised Statutes and the Las Vegas City Charter, the
4 City has provided by ordinance a regulatory framework for the collection of solid waste and residential
5 recyclables within the City; and

6 WHEREAS, pursuant to that same authority and in accordance with the City's regulatory framework,
7 the City has provided for the collection of solid waste and residential recyclables within the City by means
8 of franchise, and has entered into a franchise agreement with Republic Silver State Disposal, Inc. (the
9 "Franchise Agreement") to provide those collection services; and

10 WHEREAS, in accordance with relevant statutory authority, the City may establish franchise fees as
11 well as other charges related to the collection services to be provided by a franchisee; and

12 WHEREAS, LVMC 9.08.245 authorizes the City to establish an environmental surcharge on all
13 billings for solid waste collection and residential recycling services rendered within the City, the proceeds of
14 which may be used by the City for environmental programs and activities that benefit the public health,
15 safety and welfare; and

16 WHEREAS, LVMC 9.08.245 provides that the environmental surcharge so established shall be
17 collected by a franchisee and remitted to the City in accordance with that section; and

18 WHEREAS, LVMC 9.08.245 further provides limitations on the amount of the surcharge that may
19 be established by the City; and

20 WHEREAS, LVMC 9.08.245 and 9.08.220 provide for the means by which the environmental
21 surcharge is charged to the collection customer, collected by a franchisee, and, in connection therewith, listed
22 as a separate line item on the franchisee's billing to each customer; and

23 WHEREAS, the City Council desires to establish by means of this Resolution an environmental
24 surcharge in accordance with LVMC 9.08.245, with the proceeds thereof to be used for environmental
25 programs and activities that benefit the public health, safety and welfare.

26 NOW, THEREFORE, BASED ON THE FOREGOING, BE IT RESOLVED BY THE CITY

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1 COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, AS FOLLOWS:

2 1. In accordance with LVMC 9.08.245, there is hereby established and imposed an environmental
3 surcharge to be added to all billings for solid waste collection and residential recycling services rendered
4 within the City (the "Environmental Surcharge"). The Environmental Surcharge shall be in the amount of
5 5% of the otherwise-applicable charges to each customer of a franchisee for the collection of solid waste and
6 residential recyclables within the City, commencing on October 1, 2019, and continuing thereafter.

7 2. The Environmental Surcharge shall be collected in accordance with, and is governed by, relevant
8 provisions of LVMC Chapter 9.08 and the Franchise Agreement. The Environmental Surcharge shall be
9 listed as a separate line item on the franchisee's billing to each customer.

10 3. The proceeds of the Environmental Surcharge shall be deposited into a dedicated environmental
11 special revenue fund which is set aside for the purposes described in this Paragraph 3. That fund is hereby
12 created by means of this Resolution and shall be used for environmental programs and activities that benefit
13 the public health, safety and welfare, as determined by the City.

14 4. This Resolution shall become effective as of the date of its adoption.

15 PASSED, ADOPTED, AND APPROVED this 17th day of July, 2019.

16 CITY OF LAS VEGAS

17 BY 
18 CAROLYN G. GOODMAN, Mayor

19 ATTEST:

20 
21 LUANN D. HOLMES, MMC
22 City Clerk

23 APPROVED AS TO FORM

24  7-1-19
25 Val Steed, Date
26 Deputy City Attorney