

1 **BILL NO. 2013-23**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO CHANGE THE BILLING AND PAYMENT OF SEWER SERVICE
4 CHARGES FROM AN ANNUAL BASIS TO A QUARTERLY BASIS, INCREASE THE FEE FOR
5 RELEASING A SEWER LIEN, AND PROVIDE FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Steven D. Ross

7 Summary: Changes the billing and payment of
8 sewer service charges from an annual basis to a
9 quarterly basis, and increases the fee for
10 releasing a sewer lien.

11 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
12 AS FOLLOWS:

13 SECTION 1: Title 14, Chapter 4, Section 80, of the Municipal Code of the City of
14 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **14.04.080:** (A) All bills for services rendered by or through the municipal sewage disposal
16 system shall be rendered annually in advance on the first day of the month on which the annual cycle
17 billing established for such premises shall commence, shall be payable annually in advance unless the
18 customer elects to pay the annual bill in quarterly installments. The first quarterly installment payment
19 must be paid in advance, with any remaining amount due constituting a lien against the property.
20 Payment of all bills rendered shall be made to the Department of Finance and Business Services, and
21 any business license for a multiple dwelling or place of business that is associated with such billing
22 may be withheld or suspended unless the remaining portion of the current year's annual billing, or,
23 if the customer has elected to pay in quarterly installments, the remaining portion of the current
24 quarterly installment thereof, as the case may be, is paid in advance. Each quarterly payment must be paid in advance by the first day of the month which begins the billing cycle for the premises commences. Payment shall be made to the Department of Finance. Any business license for a multiple dwelling or place of business associated with a billing may be withheld or suspended for nonpayment.

25 (B) Customers who are owners of residential premises are required to pay the
26 quarterly billing of the annual charge rate per ERU set forth in Section 14.04.030 whether or not the
27 premises are occupied, notwithstanding any provision of this Chapter to the contrary.
28

1 (C) The Department shall have all powers which may be necessary or appropriate
2 for a complete and effective exercise of its jurisdiction, including, but not limited to, the power to
3 enter and inspect any commercial or multiple-residential premises to make determinations concerning
4 sewer service billing. An inspection of commercial premises must be made during regular business
5 hours. A prior appointment is required in order to perform an inspection at a residential premises, if
6 occupied.

7 SECTION 2: Title 14, Chapter 4, Section 90, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **14.04.090:** [(A) The full amount of the sewer service bill is due on the first day of the
10 customer's annual billing cycle, unless the customer elects to pay quarterly installments as provided
11 for in Section 14.04.080.

12 (B)] If any portion of the sewer service bill[, or, if the customer has elected to pay
13 such bill in quarterly installments, any portion of either or any of such quarterly installments] remains
14 unpaid for fifteen days or more following the date on which the same was due, the amount outstanding
15 shall be deemed delinquent and a fifteen percent penalty shall be charged thereon.

16 SECTION 3: Title 14, Chapter 4, Section 100, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **14.04.100:** Until paid, the sewer service bill established by this Chapter, including any penalty
19 thereon, shall constitute a perpetual lien on and against the real property and premises which received
20 the sewer service, from the date the sewer service bill and penalties become due, as well as
21 constituting a debt owing to the City by the sewer service customer and by the record owner of such
22 property, if such owner is someone other than the sewer service customer. The City may bring a civil
23 action in any court of competent jurisdiction to recover the amount due and penalties. Additionally,
24 the City may enforce said lien by recording a notice of lien in the office of the County Recorder after
25 the amount due becomes delinquent and foreclosing the same against such property in the same
26 manner as provided by the laws of the State for the foreclosure of mechanic's liens. A service charge
27 of [fifteen] seventeen dollars will be assessed the sewer service customer for a release of the lien filed
28 with the office of the County Recorder in addition to any and all recording costs incurred by the City

1 in recording the release of lien.

2 SECTION 4: This Ordinance shall become effective the day following its publication,
3 but Sections 1 and 2 thereof shall be deemed effective as of June 1, 2013.

4 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
5 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
6 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
7 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
8 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
9 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
10 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
11 invalid or ineffective.

12 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this _____ day of _____, 2013.

16 APPROVED:

17
18 By _____
CAROLYN G. GOODMAN, Mayor

19 ATTEST:

20 _____
21 BEVERLY K. BRIDGES, MMC
City Clerk

22 APPROVED AS TO FORM:

23 _____ 7-17-13
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said ordinance on the
5 _____ day of _____, 2013, which was a _____ meeting of said
6 Council; that at said _____ meeting, the proposed ordinance was read by title
7 to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11
12 APPROVED:

13
14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:
16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk

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