

1 **BILL NO. 2010-55**

2 **ORDINANCE NO. 6125**

3 AN ORDINANCE RELATING TO SEWER SERVICE AND SEWER CONNECTION CHARGES;  
4 ELIMINATING THE ANNUAL SEWER SERVICE RATE INCREASE OTHERWISE EFFECTIVE  
5 IN 2011; PROVIDING A MECHANISM BY WHICH THE CITY MAY FORGO FUTURE  
6 ANNUAL RATE INCREASES; CLARIFYING THAT OWNERS OF RESIDENTIAL PREMISES  
7 ARE RESPONSIBLE FOR SEWER SERVICE USER CHARGES WHETHER OR NOT THE  
8 PREMISES ARE OCCUPIED; REPEALING THE SEWER SERVICE SURCHARGE AND  
9 REGIONAL SEWER CONNECTION CHARGE PERTAINING TO THE CLEAN WATER  
10 COALITION AND THE REGIONAL SYSTEMS CONVEYANCE AND OPERATIONS  
11 PROGRAM; AND PROVIDING FOR OTHER RELATED MATTERS.

12 Sponsored by: Councilman Steven D. Ross

Summary: Eliminates the annual sewer service rate increase otherwise effective in 2011; provides a mechanism by which the City may forgo future annual rate increases; clarifies that owners of residential premises are responsible for sewer service user charges whether or not the premises are occupied; and repeals the sewer service surcharge and regional sewer connection charge pertaining to the Clean Water Coalition and the Regional Systems Conveyance and Operations Program.

13  
14 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
15 AS FOLLOWS:

16 SECTION 1: Title 14, Chapter 4, Section 10, of the Municipal Code of the City of  
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **14.04.010:** Except where the context otherwise requires, as used in this Chapter the following  
19 words, terms and phrases shall have the meanings indicated as follows:

20 "Accessory structure (Class I)" means an accessory structure which is located on the same  
21 residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters,  
22 including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic  
23 employees or temporary guests.

24 "Apartment house" means a structure which contains three or more rental dwelling units on  
25 the same lot or parcel and which does not qualify under another customer class as defined in this  
26 Section. The term includes an assisted living apartment, as defined in Section 19.20.020, but does not  
27 include a convalescent care facility or senior apartment house.

28 "Barbershop" means an establishment in which the practice of barbering is engaged in or

1 carried on.

2 "Beauty shop" means an establishment in which any of the branches of cosmetology is  
3 practiced.

4 "Billing charge" means that portion of the user charge associated directly with the cost of  
5 preparing a user's bill and which is the same for each user; i.e., sewer user account.

6 "Casino" means a place which is not a part of a hotel where games of chance or gambling  
7 devices are made available for play by the public.

8 "Child care center" means a commercial establishment which regularly provides day or  
9 overnight care for more than twelve children.

10 "Church" means a structure primarily used for activities sponsored by a religious organization.

11 "Cinema theater" means a cinemplex, multiplex theater, or other structure whose main  
12 function is to screen movies.

13 ["Clean Water Coalition" or "CWC" means an agency established and empowered by an  
14 interlocal agreement among the City of Las Vegas, City of North Las Vegas, City of Henderson and  
15 Clark County Water Reclamation District (four entities responsible for wastewater treatment), to  
16 construct and operate a regional Systems Conveyance and Operations Program (SCOP) in order to  
17 assure a certain level of water quality at the Las Vegas Wash and Lake Mead.]

18 "Clinic" means an establishment for the administration of professional chiropractic, dental,  
19 medical or veterinarian care on an out-patient basis, including the individual office of any such  
20 practitioner.

21 "Commodity charge" means that portion of the user charge associated directly with wastewater  
22 collection and treatment and which is calculated for a user by multiplying the ERU rate for that user's  
23 customer class by the number of ERUs assigned to that customer.

24 "Community center" means a facility which is operated in connection with and incidental to  
25 a private multi-family or planned residential development and which provides community activities  
26 for residents of the development.

27 "Condominium" means a multiple-family dwelling in which each dwelling unit is owned  
28 individually, while other elements of the land and facilities are owned in common with other unit

1 owners.

2 "Convalescent care facility/nursing home" means a building that is used, or designed or  
3 intended to be used to provide care for persons who have a chronic physical or mental illness or  
4 infirmity. The term includes a rest home but does not include an apartment house, hospital or special  
5 care facility.

6 "Custodial institution" means a facility which is used for the housing or detention of persons  
7 who have been charged with or convicted of crimes. The term includes any prison, jail, detention  
8 facility.

9 "Customer" means the owner of real property who is responsible for the payment of sewer  
10 service charges assessed to the property.

11 "Day spa" means a facility in which multiple services in cosmetology, massage, acupressure  
12 and reflexology are offered to the public. The facility may include without limitation such related  
13 operations as the sale of beauty products and boutique items; tanning booths; permanent makeup; and  
14 eating establishments.

15 "Duplex" means a building containing two attached dwelling units which are separated from  
16 each other by an unpierced wall extending from ground to roof, with both units located on the same  
17 lot or parcel.

18 "Dwelling unit" means one or more rooms located within a structure and occupied or intended  
19 for occupancy as separate living quarters for a single family, with cooking, sleeping and sanitary  
20 facilities provided within the dwelling unit.

21 "Equivalent residential unit" or "ERU" means the average amount of wastewater discharged  
22 by a single-family dwelling, which has been determined to be ninety thousand gallons per year.

23 "Family" means one or more persons customarily living together and occupying a single  
24 dwelling unit.

25 "Financial institution" means a bank, credit union, savings and loan association, debt  
26 adjustment company, loan company, mortgage company, thrift company or trust company.

27 "Fixture" means a device which is connected to the hot or cold water supply system or both  
28 and which is connected to the wastewater collection system of the City\* and includes but is not limited

1 to the following:

- 2 (1) Bathtub (with or without overhead shower). Each bathtub is a separate fixture;
- 3 (2) Bidet (standard bathroom fixture);
- 4 (3) Car wash:
- 5 (a) Each bay of a coin-operated car wash is a fixture,
- 6 (b) Each water source arch of a drive- or tow-through car wash is a fixture.
- 7 (Water source arches using recycled water are not considered fixtures);
- 8 (4) Commode (toilet or water closet);
- 9 (5) Cooking utensil with supply and drain (built-in pot or cooking pan that has an
- 10 adjacent water source exclusively for filling or washing the utensil, which water is immediately or at
- 11 some future time, dumped into a drain, directly from said utensil). Each utensil is a separate fixture;
- 12 (6) Dental cuspidor (bowl hinged to dental chair used by patients when removing
- 13 fluids from their mouth). Each bowl is a separate fixture;
- 14 (7) Dipwell (receptacle with a water source and drain used primarily to rinse ice
- 15 cream scoops or other utensils). Each receptacle is a separate fixture.
- 16 (8) Drinking fountain. Each water outlet on a drinking fountain unit is a separate
- 17 fixture;
- 18 (9) Dishwasher (domestic or commercial). Each dishwasher is a separate fixture;
- 19 (10) Fruit and vegetable sprayer (nozzle spray equipment attached to a length of hose
- 20 for manual use or an automated nozzle spray system). Each manually operated nozzle and each
- 21 automated nozzle spray system is a separate fixture;
- 22 (11) Glass fill (fountain device used to fill glasses with drinking water). Each device
- 23 is a separate fixture;
- 24 (12) Shower stall (stand-up shower enclosure);
- 25 (13) Group shower (a shower room or enclosure with multiple shower heads and one
- 26 or more drains). Each shower head is a separate fixture;
- 27 (14) Sinks:
- 28 (a) Bar sink. Each water outlet of a bar sink, whether the sink has single

- 1 or multiple sections, is a separate fixture,
- 2 (b) Barber sink. Each sink is a separate fixture,
- 3 (c) Beauty parlor or hair wash sinks. Each sink is a separate fixture,
- 4 (d) Kitchen utility sink (any sink in a restaurant kitchen used for the  
5 preparation of food or for washing dishes). Each sink is a separate fixture,
- 6 (e) Laundry sink (a square, high-sided sink with one or more sections; also  
7 referred to as a mop sink). Each water outlet of the laundry sink is a separate fixture,
- 8 (f) Lavatory (a fixed bowl or basin with running water and drainage for  
9 washing). Each lavatory is a separate fixture,
- 10 (g) Mop sink (a square, high-sided sink with one or more sections; also  
11 referred to as a laundry sink). Each water outlet on a mop sink is a separate fixture,
- 12 (h) Wash sink (a restroom fixture designed to accommodate several persons  
13 washing at the same time with one or more water outlets). Each water outlet on a wash sink is a  
14 separate fixture;
- 15 (15) Steam table with water supply and drain is one fixture. A steam table equipped  
16 with a built-in sink in addition to having an independent source of water and drain is deemed to have  
17 two separate fixtures;
- 18 (16) Urinal:
- 19 (a) Each urinal designed for solo usage is a separate fixture,
- 20 (b) Every two feet of a trough style urinal is a separate fixture;
- 21 (17) Washing machine. Each machine, regardless of size, is a separate fixture;
- 22 (18) Water supply outlet with drain (any water source that is used in conjunction  
23 with a drain that is not specifically designated in this Section; for example, hose bib and wash rack  
24 or water tank system). Each water outlet or water tank is a separate fixture;
- 25 (19) Whirlpool therapy. Each item of therapy equipment that is provided with a  
26 water source and a drain is a separate fixture;
- 27 (20) X-ray machine with water supply and drain. Each machine connected to a  
28 source of water and drain is a separate fixture.

1           “Halfway house” means a residential facility that is operated on a dwelling-unit basis and that  
2 provides housing, training, or rehabilitation to persons who are:

3           (1)     On probation or parole after having been convicted of a criminal offense; or

4           (2)     Recovering from alcohol or drug abuse.

5 The term does not include a custodial institution or a facility that provides treatment for alcohol or  
6 drug abuse.

7           “High strength users” means a customer class discharging on the average, five-day biochemical  
8 oxygen demand strengths greater than three hundred milligrams per liter or suspended solids strengths  
9 greater than three hundred fifty milligrams per liter.

10          “Hospital” or “general hospital” means an institution, generally designed with an integrated  
11 campus setting, for the diagnosis, care and treatment of human illness, including surgery and primary  
12 treatment. The term includes a “general hospital” designated as such pursuant to NRS 449.021 and  
13 NAC 449.285, but does not include a “specialty hospital”.

14          “Large commercial” means an establishment of single ownership or operation which uses more  
15 than five million gallons of water per year and does not otherwise fall under any of the other user  
16 classifications.

17          “Laundromat” means a commercial establishment equipped with washing machines and dryers  
18 designed for customer operation.

19          “Laundry” means:

20                 (1)     A business establishment where members of the general public may take, upon  
21 payment of compensation, clothing, linens and fabrics to be washed; or

22                 (2)     A separate facility within a business establishment utilized to wash clothing,  
23 linens and fabrics used in the business operations of said business establishment.

24          “Maintenance, renovation and repair shop” means an establishment the function of which is  
25 to maintain, renovate or repair, or any combination thereof, of appliances, equipment, furniture or  
26 motor vehicles, excluding the display or sale of new or used merchandise other than that which is  
27 incorporated into the article which is so maintained, renovated or repaired.

28          “Mixed use operations” means two or more business operations that normally would not be

1 considered to be in the same consumer class and are being conducted within the same building, are  
2 not completely separated by walls, and do not have separate entrances to each business operation.  
3 Sharing of fixtures by more than one business operation may or may not occur.

4 "Mobile home residential estate" and/or "mobile home park" means a place which is used or  
5 intended for use to park two or more trailers for occupancy as living quarters for human beings for  
6 thirty days or more.

7 "Motel/hotel/rooming house" means a structure containing two or more rooms wherein:

8 (1) Sleeping accommodations are provided in guest rooms at daily rates to tourist  
9 or transient guest; and

10 (2) No provision is made in any guest room for cooking food.

11 "Motor vehicle sales" means a facility or area used for the display and sale of automobiles,  
12 trucks, motorcycles or motor scooters. The term includes service bay and body shop operations which  
13 are incidental and accessory to the sales use.

14 "Multiple-family dwelling" means a structure which contains two or more attached dwelling  
15 units, each of which is located on a separate lot or elements of which are separately or individually  
16 owned. The term includes townhouse structures.

17 "Nightclub" includes a teenage nightclub, adult nightclub and erotic dance establishment, as  
18 those terms are defined in Title 6.

19 "Office" means an establishment in which the occupation or employment which is conducted  
20 therein involves predominantly mental or intellectual, rather than physical or manual, labor and skill  
21 and in which there is no display of stock or wares, no commodity sold and no commercial use  
22 conducted other than the services which are offered.

23 "Park or playground" means a park, playground, reservoir or athletic field, whether owned,  
24 operated or maintained by a private or public person or entity.

25 "Private club" means a nonprofit organization of members for the promotion of some common  
26 object which is operated solely for the benefit and use of its members and their guests and is controlled  
27 exclusively by its members.

28 "Recreational vehicle park" means a place which is used or intended for use to park two or

1 more trailers for occupancy as living quarters for human beings for less than thirty days.

2 "Residence hotel" means a complex of multiple dwelling units used or designed for  
3 extended-stay lodging or long-term occupancy, in which:

4 (1) The dwelling units consist of efficiency units or suites with a complete kitchen;

5 (2) Customary hotel services are provided, such as linen service, maid service,  
6 telephone service and furniture upkeep; and

7 (3) Additional resident/guest amenities may be provided, including meeting rooms,  
8 club house facilities or recreational facilities.

9 "Resort hotel" means a building or a group of buildings which are designed and integrated to  
10 clearly demonstrate the appearance of one facility wherein:

11 (1) Sleeping accommodations are provided in guestrooms at daily rates to tourists  
12 or transient guests;

13 (2) No provision is made for cooking food in any guestroom, except as permitted  
14 by the provisions of LVMC Title 6, Chapter 40;

15 (3) There is a gaming area within the building or group of buildings;

16 (4) There are more than two hundred guestrooms available for sleeping  
17 accommodations;

18 (5) There is integrated into the facility near the area where licensed games are  
19 provided at least one restaurant with permanent seating capacity for more than sixty patrons that is  
20 open to the public twenty-four hours each day and seven days each week;

21 (6) There is a lobby near the restaurant and licensed games for the guests to check  
22 in and out and receive messages; and

23 (7) There is at least one bar with permanent seating capacity for more than thirty  
24 patrons that serves alcoholic beverages sold by the drink for consumption on the premises.

25 "Restaurant" means a place which is not part of a resort hotel or a motel/hotel where food is  
26 prepared and served primarily for consumption on the premises. For purposes of this Chapter, the  
27 term includes a supper club, coffeehouse, café, cafeteria or any dining establishment that provides or  
28 allows self-service in connection with the consumption of food.

1           “School” means an establishment, whether public or private, in which is offered a full-time  
2 academic, vocational or technical course of study or other educational services, whether elementary,  
3 secondary, or post-secondary.

4           “Senior apartment house” means a structure which contains three or more rental dwelling units  
5 on the same lot or parcel, in which all the units:

6                   (1)     Have an average interior square footage of eight hundred twenty-five square  
7 feet or less;

8                   (2)     Are intended and used exclusively for occupancy by persons fifty-five years of  
9 age or older; and

10                  (3)     Are limited to one or two occupants each.

11           “Service establishment” means an establishment the principal activity of which is to furnish  
12 service to the consuming public, excluding establishments  
13 which are subject to Chapter 14.17 of this Code, manufacturing, processing and dry-cleaning plants,  
14 laundries, and maintenance, renovating and repair shops.

15           “Single-family dwelling” means a dwelling unit which is located on a separate lot or elements  
16 of which are individually owned, whether or not the dwelling unit is attached to one or more other  
17 dwelling units. The term includes any dwelling which is used secondarily as a child care facility,  
18 either as a family home or a group home.

19           “Special care facility” means a facility used exclusively for one or more of the following:

20                   (1)     The treatment of alcohol or drug dependency; or

21                   (2)     The housing and care of persons with a physical or mental illness that requires  
22 them to be confined in an institutional facility.

23           “Specialty hospital” means a facility that is licensed pursuant to NRS Chapter 449 to provide  
24 medical, surgical, obstetrical or psychiatric services, or a combination thereof. The term does not  
25 include a “general hospital”.

26           “Sports complex” means an establishment which exceeds a spectator capacity of five thousand  
27 people used for athletic events, including but not limited to baseball, basketball, soccer, rodeos and  
28 track and field events.

1           “Take-out restaurant” means a place which is not part of a resort hotel or a motel/hotel where  
2 food is prepared exclusively for consumption off premises.

3           “Tavern” means an establishment licensed as a tavern pursuant to LVMC Chapter 6.50,  
4 whether or not food is served or sold on the premises.

5           “Theater” means a structure which is especially adapted to dramatic, operatic or spectacular  
6 presentations, excluding cinema theaters, hotels, nightclubs and restaurants which furnish  
7 entertainment in connection with serving food or other refreshments.

8           “Trailer” means a vehicular structure which is built on a chassis or frame, which is designed  
9 to be used with or without a permanent foundation and which may be used as living quarters for  
10 human beings whether drawn by a motor vehicle or propelled by its own power.

11           “Two-family dwelling” means one or more structures designed for and occupied by two  
12 families living independently of each other in separate dwelling units on a single lot. The term  
13 includes a duplex.

14 \* The following devices and appliances are expressly excluded from the definition of “fixture”:

15           Air-conditioner,

16           Boiler,

17           Coffee urn,

18           Dental unit vacuum extraction,

19           Emergency equipment,

20           Garbage disposal unit,

21           Ice machine,

22           Ice trays,

23           Refrigerator,

24           Soft drink machine, if it has no glass fill feature, water source or drain,

25           Water softener.

26           SECTION 2: Title 14, Chapter 4, Section 30, of the Municipal Code of the City of  
27 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

28 **14.04.030:** (A) The annual charge rate per ERU for a particular user shall be as set forth below

1 (which includes the five percent assessment fee pursuant to Section 14.04.130):

User	Annual charge per ERU through December 31, [2010] 2011
Domestic Strength	\$228.98
High Strength Users:	
Bottlers	\$323.65
Dairies	\$300.09
Restaurants with garbage grinders	\$431.54
Laundries	\$302.67

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9 (B) [An annual seven dollar surcharge per ERU shall be assessed to a particular user  
10 in addition to the charge rate set forth in Subsection (A) of this Section, which shall be due and  
11 payable at the same time and under the same terms and conditions as set forth in this Chapter for  
12 payment of the charge rate.

13 (C) Except as otherwise provided in Subsection (C), [The] the charge rate per ERU  
14 set forth in Subsection (A) of this Section shall be increased by the [Director of Finance and Business  
15 Services] Chief Financial Officer on the first day of January, [2011,] 2012, and annually thereafter,  
16 in an amount equal to the annual charge rate of the preceding fiscal year[,] (as actually implemented),  
17 multiplied by the lesser of five percent or the average percentage for the preceding five years of  
18 increase in the Consumer Price Index for All Urban Consumers for All Items, U.S. City Average  
19 (1967=100) that is published by the Bureau of Labor Statistics, United States Department of Labor.

20 (C) The City Manager, on behalf of the City, may elect to forgo any annual increase  
21 described in Subsection (B) upon a determination that to do so is in the best interest of the City. Such  
22 election shall be by means of written notice to the Chief Financial Officer.

23 SECTION 3: Title 14, Chapter 4, Section 70, of the Municipal Code of the City of  
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 14.04.070: [(A)] The proceeds from the charges imposed and collected under this Chapter,  
26 except those charges imposed and collected pursuant to [Sections 14.04.130 and 14.04.030(B),]  
27 Section 14.04.130, shall be used solely for the maintenance, operation, improvement, expansion,  
28 extension or betterment of the sanitary and storm sewer collection system, treatment facilities and

1 reasonable appurtenances of the City and for the costs of collecting the charges imposed in this  
2 Chapter and of administering the rules of this Chapter.

3 [(B) The proceeds from the surcharge imposed and collected under Section  
4 14.04.030(B) shall be used in support of the City's financial responsibilities as a member of the Clean  
5 Water Coalition.]

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

8 **14.04.080:** (A) All bills for services rendered by or through the municipal sewage disposal  
9 system shall be rendered annually in advance on the first day of the month on which the annual cycle  
10 billing established for such premises shall commence, shall be payable annually in advance unless the  
11 customer elects to pay the annual bill in quarterly installments. The first quarterly installment payment  
12 must be paid in advance, with any remaining amount due constituting a lien against the property.  
13 Payment of all bills rendered shall be made to the Department of Finance and Business Services, and  
14 any business license for a multiple dwelling or place of business that is associated with such billing  
15 may be withheld or suspended unless the remaining portion of the current year's annual billing, or,  
16 if the customer has elected to pay in quarterly installments, the remaining portion of the current  
17 quarterly installment thereof, as the case may be, is paid in advance.

18 (B) [Occupants] Customers who are owners of residential premises are required to  
19 pay the annual charge rate per ERU set forth in Section 14.04.030 whether [they occupy such  
20 residential premises part-time or on a continuous uninterrupted basis,] or not the premises are  
21 occupied, notwithstanding any provision of this Chapter to the contrary.

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

28 SECTION 5: Title 14, Chapter 4, of the Municipal Code of the City of Las Vegas,

1 Nevada, 1983 Edition, is hereby amended by repealing in their entirety Sections 300 to 330, inclusive.

2 SECTION 6: The provisions of Section 2 of this Ordinance eliminating a surcharge  
3 do not:

4 (A) Affect any rights, duties or liability of any person relating to any surcharge  
5 imposed pursuant to LVMC 14.04.030 for any period ending before January 1, 2011; or

6 (B) Apply to or affect the administration, collection, enforcement, or use of any  
7 surcharge imposed pursuant to LVMC 14.04.030 for any period ending before January 1, 2011.

8 SECTION 7: The provisions of Section 5 of this Ordinance repealing certain charges  
9 do not:

10 (A) Affect any rights, duties or liability of any person relating to any charges  
11 imposed pursuant to LVMC 14.04.300 to 14.04.330, inclusive, for any period ending before March  
12 1, 2010; or

13 (B) Apply to or affect the administration, collection, enforcement, or use of any  
14 charges imposed pursuant to LVMC 14.04.300 to 14.04.330, inclusive, for any period ending before  
15 March 1, 2010.

16 SECTION 8: Sections 2, 3, 6 and 8 of this Ordinance shall become effective the day  
17 following its publication, but shall be deemed effective as of January 1, 2011.

18 SECTION 9: Sections 5, 7 and 9 of this Ordinance shall become effective the day  
19 following its publication, but shall be deemed effective as of March 1, 2010.

20 SECTION 10: All other provisions of this Ordinance shall become and be deemed  
21 effective the day following its publication.

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

1 invalid or ineffective.

2 SECTION 12: All ordinances or parts of ordinances or sections, subsections, phrases,  
3 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
4 1983 Edition, in conflict herewith are hereby repealed.

5 PASSED, ADOPTED and APPROVED this 5<sup>TH</sup> day of January, 2011.

6 APPROVED:

7  
8 By   
9 OSCAR B. GOODMAN, Mayor

10 ATTEST:

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12 BEVERLY K. BRIDGES, MMC  
13 City Clerk

14 APPROVED AS TO FORM:

15 Val Steed 12-6-10  
16 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council  
2 on the 15<sup>th</sup> day of December, 2010, and referred to a committee for recommendation;  
3 thereafter the committee reported favorably on said ordinance on the 5<sup>th</sup> day of January,  
4 2011, which as a regular meeting of said Council; that at said regular meeting, the  
5 proposed ordinance was read by title to the City Council as first introduced and adopted by  
6 the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Wolfson, Tarkanian,  
8 Ross, Barlow and Anthony  
9 VOTING "NAY": None  
10 EXCUSED: None  
11 ABSTAINED: None

12 APPROVED:

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15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

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19 BEVERLY K. BRIDGES, MMC City Clerk  
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**BUSINESS IMPACT STATEMENT  
BILL NO. 2010-55**

**(Eliminates the annual sewer service rate increase otherwise effective in 2011; provides a mechanism by which the City may forgo future annual rate increases; clarifies that owners of residential premises are responsible for sewer service user charges whether or not the premises are occupied; and repeals the sewer service surcharge and regional sewer connection charge pertaining to the Clean Water Coalition and the Regional Systems Conveyance and Operations Program)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2010-55, that would eliminate the annual sewer service rate increase otherwise effective in 2011; provide a mechanism by which the City may forgo future annual rate increases; clarify that owners of residential premises are responsible for sewer service user charges whether or not the premises are occupied; and repeal the sewer service surcharge and regional sewer connection charge pertaining to the Clean Water Coalition and the Regional Systems Conveyance and Operations Program.

**1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

Not applicable

**2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:**

**Adverse effects:**

None

**Beneficial effects:**

Relief from 2011 CPI increase in sewer rates and from certain sewer surcharges and connection fees

**Direct effects:**

Relief from 2011 CPI increase in sewer rates and from certain sewer surcharges and connection fees

**Indirect effects:**

None

**3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:**

Not applicable

**4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:**

No additional cost

**5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:**

Not applicable

**6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:**

Not applicable

**7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:**

Not applicable

Date: December 6, 2010

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 6873821

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/24/2010 to 12/24/2010, on the following days:

12/24/2010

BILL NO. 2010-55

AN ORDINANCE TO UPDATE CERTAIN ADMINISTRATIVE PROVISIONS OF THE MUNICIPAL CODE RELATING TO MANAGEMENT FUNCTIONS AND THE NAMES OF CITY DEPARTMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Eliminates the annual sewer service rate increase otherwise effective in 2011; provides a mechanism by which the City may forgo future annual rate increases; clarifies that owners of residential premises are responsible for sewer service user charges whether or not the premises are occupied; and repeals the sewer service surcharge and regional sewer connection charge pertaining to the Clean Water Coalition and the Regional Systems Conveyance and Operations Program.

At the City Council meeting of DECEMBER 15, 2010  
BILL NO. 2010-55 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA

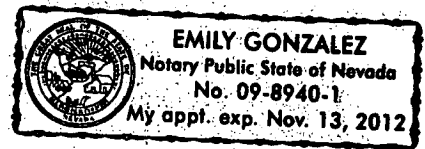
PUB: December 24, 2010  
LV Review-Journal

2011 JAN -4 A 10:49  
RECEIVED  
CITY CLERK

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE  
24th day of Dec. 2010.

Emily Gonzalez  
Notary Public



AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 6904612

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/08/2011 to 01/08/2011, on the following days:

01/08/2011

2011 JAN 18 A  
RECEIVED  
CITY CLERK

BILL NO. 89-55  
ORDINANCE NO. 6125

AN ORDINANCE TO UPDATE CERTAIN ADMINISTRATIVE PROVISIONS OF THE MUNICIPAL CODE RELATING TO MANAGEMENT FUNCTIONS AND THE NAMES OF CITY DEPARTMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross  
Summary: Eliminates the annual sewer service rate increase otherwise effective in 2011; provides a mechanism by which the City may forgo future annual rate increases; clarifies that owners of residential premises are responsible for sewer service user charges whether or not the premises are occupied; and repeals the sewer service surcharge and regional sewer connection charge pertaining to the Clean Water Coalition and the Regional Systems Conveyance and Operations Program.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of December 2010 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 4th day of January 2011, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Wolfson, Tarkanian, Ross, Barlow and Anthony  
VOTING "NAY": NONE  
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA

PUB: January 8, 2011  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 10th day of Jan, 2011.

Emily Gonzalez  
Notary Public



AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 6961821

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/03/2011 to 02/03/2011, on the following days:

02/03/2011

RECEIVED  
CITY CLERK

2011 FEB 14 P 1:47

CORRECTED  
BILL NO. 2010-55  
ORDINANCE NO. 6125

AN ORDINANCE TO UPDATE CERTAIN ADMINISTRATIVE PROVISIONS OF THE MUNICIPAL CODE RELATING TO MANAGEMENT FUNCTIONS AND THE NAMES OF CITY DEPARTMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Eliminates the annual sewer service rate increase otherwise effective in 2011; provides a mechanism by which the City may forgo future annual rate increases; clarifies that owners of residential premises are responsible for sewer service user charges whether or not the premises are occupied; and repeals the sewer service surcharge and regional sewer connection charge pertaining to the Clean Water Coalition and the Regional Systems Conveyance and Operations Program.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of December 2010 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 5th day of January 2011, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Wolfson, Tarkanian, Ross, Barlow and Anthony  
VOTING "NAY": NONE  
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA  
PUB: February 3, 2011  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE  
4th day of Feb, 2011.

Emily Gonzalez  
Notary Public

