

BILL NO. 82-15

Ordinance No. 2274

AN ORDINANCE RELATING TO USER CHARGES FOR SEWER SERVICES; AMENDING TITLE VIII, CHAPTER 5, SECTION 2, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, AS LAST AMENDED BY ORDINANCE NO. 2224 OF SAID CITY, TO PROVIDE THAT THE ALTERNATE METHOD OF DETERMINING EQUIVALENT RESIDENTIAL UNITS ESTABLISHED BY SAID ORDINANCE NO. 2224 IS AVAILABLE ONLY TO NON-RESIDENTIAL SEWER SERVICE CUSTOMERS; AMENDING TITLE VIII, CHAPTER 5A, SECTION 2A OF SAID CODE TO MAKE SAID ALTERNATE METHOD OF DETERMINING EQUIVALENT RESIDENTIAL UNITS APPLICABLE TO THE COMPUTATION OF THE AWT SURCHARGE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by: Summary: Clarifies ordinance provisions relating to alternate Commissioner Paul Christensen method of determining ERU's in preparation of sewer service bills.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Title VIII, Chapter 5, Section 2, of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

8-5-2: (A) Equivalent Residential Unit (ERU) Schedule¹

<u>Customer Class</u>	<u>Billing Unit</u>	<u>ERU's</u>
Single family residence	Each dwelling unit	1.00

1. In instances in which the application of the billing units provided for in this Schedule, or the application of the term "water use," to determine the number of ERU's discharged by a particular user, other than a residential user, causes inequity, the discharger, other than a residential discharger, may petition to substitute its actual annual discharge to the sewer system in lieu of the billing units provided for in this Schedule or in lieu of the annual water use quantities, [as the case may be,] in the case of a Large Commercial user as defined in Section 8-5-1 of this Code, for the purpose of determining its ERU's, provided that the discharge is measured by an appropriate metering device approved by the City. If this method is employed, the ERU's shall be computed by dividing the actual discharge by 90,000 gallons. The cost of obtaining and installing the metering device is to be borne by the discharger.

1	Mobile home residential		
2	estates ²	Each trailer lot	1.00
3	Mobile home parks	Each trailer lot	1.00
4	Multiple family resi-		
5	dence	Each dwelling unit	0.70
6	Other residence	Each dwelling unit	1.00
7	Recreational vehicle		
8	parks	Each trailer space	0.70
9	Hotel	Each room	0.60
10	Plus: fixtures outside		
11	of rooms (including		
12	fixtures in casinos		
13	and restaurants)	Each fixture	1.50
14	Casino	Each fixture	1.50
15	Business operations not		
16	separately rated	Each fixture	0.65
17	Hospital	Each bed	1.20
18	Convalescent and Rest		
19	Homes	Each bed	0.75
20	School	Each student	0.10
21	Church	Each fixture	0.50
22	Restaurant	Each fixture	1.33
23	Large commercial and	Annual water use ÷	
24	other	90,000 gallons = No. ERU's	
25	Commercial laundries	0.85 x annual	
26		water use ÷	
27		90,000 gallons = No. ERU's	
28			
29	2. Trailers which contain more than		
30	one dwelling unit shall be classified		
31	as multiple residential.		
32			

1	Swimming Pools--Public and	
2	Private--each pool by capacity	
3	30,000 gallons and less	0.10
4	30,001 to 99,999 gallons	0.25
5	100,000 to 149,999 gallons	0.50
6	150,000 to 199,999 gallons	0.65
7	200,000 to 249,999 gallons	0.85
8	250,000 to 299,999 gallons	1.00
9	300,000 gallons or more	1.30

10 (B) Equivalent Residential Unit (ERU) Rates: The
 11 change rate per ERU for a particular user shall be
 12 as given below:

13	<u>User</u>	<u>Annual Charge per ERU's</u>
14	Domestic Strength Users	\$46.03
15	High Strength Users	
16	Bottlers	65.08
17	Dairies	60.61
18	Restaurants with garbage grinders	86.71
19	Laundries	60.71

20 (C) Billing Charge: The billing charge shall be two
 21 dollars seventy five cents (\$2.75) per year per
 22 user account.

23 (D) Calculation of User Charges:

- 24 (1) User charges, except those to the City of
- 25 North Las Vegas shall be calculated as follows:
- 26 (a) Customer class of user is determined;
- 27 (b) Number of ERU's for user is determined;
- 28 (c) ERU rate for user is determined;
- 29 (d) Commodity charge is determined by multi-
- 30 plying number of user ERU's by user ERU
- 31 rate; and
- 32 (e) User charge is determined by adding
- commodity charge and billing charge.

1 (2) User charges to the City of North Las Vegas
2 shall be based on flow (volume) and strength
3 (five (5) day biochemical oxygen demand and
4 suspended solids concentrations). Also in-
5 cluded in the charges to the City of North
6 Las Vegas shall be any monitoring costs. User
7 charges shall be calculated on the basis of
8 the volume of wastewater and the load of five
9 (5) day biochemical oxygen demand (BOD's) and
10 suspended solids (SS) according to the following
11 schedule:

12	<u>Parameter</u>	<u>Rate</u>
13	Volume	\$272.51 per million
14		gallons
15	BOD ₅	56.29 per thousand
16		pounds
17	SS	35.54 per thousand
18		pounds

19 (E) Manditory Monitoring and Revision: In accordance
20 with the regulations governing acceptance of waste-
21 water treatment facilities construction grants
22 from the U.S. Environmental Protection Agency:

- 23 (1) The City will review not less often than every
24 two (2) years the wastewater contribution of
25 users and user classes, the total costs of
26 operation and maintenance of the treatment
27 works and its approved user charge system.
28 Charges to accomplish the following:
- 29 (a) Maintain the proportionate distribution
30 of operation and maintenance costs among
31 users and user classes as required by
32 PL 95-217 section 204(b) (1) (A).

- 1 (b) Generate sufficient revenue to pay the
2 total operation and maintenance costs
3 necessary to the proper operation and
4 maintenance (including replacement) of
5 the treatment works; and
6 (c) Apply excess revenues collected from one
7 particular class of users over and above
8 that collected from the rest to the cost
9 of operation and maintenance attributable
10 to that class for the next year and adjust
11 the rate accordingly.

12 (2) City of Las Vegas may have pre-existing agree-
13 ments which address: (1) the reservation of
14 capacity in the treatment works; or (2) the
15 charges to be collected in providing wastewater
16 treatment services or reserving capacity. The
17 user charge system shall take precedence over
18 any terms or conditions or agreements or con-
19 tracts between the grantee and users (includ-
20 ing industrial users, special districts, other
21 municipalities or Federal agencies or in-
22 stallations) which are inconsistent with the
23 requirements of section 204(b)(1)(A) of the
24 Act and the applicable regulations.

25 (3) City of Las Vegas shall provide for annual
26 customer notification, in conjunction with a
27 regular bill, of the rate and that portion of
28 user charges which are attributable to waste-
29 water treatment services.

30 SECTION 2: Title VIII, Chapter 5A, Section 2A, of the
31 Municipal Code of the City of Las Vegas, Nevada, 1960 Edition,
32 is hereby amended to read as follows:

1 8-5A-2A: The number of equivalent residential units to be charged
2 to the individual customers of the City's sewage dis-
3 posal system shall be determined in accordance with the
4 following schedule:¹

5	<u>Customer Class</u>	<u>Billing Unit</u>	<u>ERU's</u>
6	Single family residence	Each dwelling unit	1.00
7	Mobile home residential		
8	estates ^{[1]2}	Each trailer lot	1.00
9	Mobile home parks	Each trailer lot	1.00
10	Multiple family		
11	residence	Each dwelling unit	0.70
12	Other residence	Each dwelling unit	1.00
13	Recreational vehicle		
14	parks	Each trailer space	0.70
15	Hotel	Each room	0.60
16	Plus: fixtures outside		
17	of rooms (including		
18	fixtures in casinos		
19	and restaurants)	Each fixture	1.50

20
21 1. In instances in which the application of
22 the billing units provided for in this Schedule,
23 or the application of the term "water use," to
24 determine the number of ERU's discharged by
25 a particular user, other than a residential
26 user, causes inequity, the discharger, other
27 than a residential discharger, may petition
28 to substitute its actual annual discharge to
29 the sewer system in lieu of the billing
30 units provided for in this Schedule or in
31 lieu of the annual water use quantities, in
32 the case of a Large Commercial user as defined
in Section 8-5-1 of this Code, for the purpose
of determining its ERU's, provided that the
discharge is measured by an appropriate metering
device approved by the City. If this method is em-
ployed, the ERU's shall be computed by dividing
the actual discharge by 90,000 gallons. The
cost of obtaining and installing the metering
device is to be borne by the discharger.

[1]2. Trailers which contain more than one dwelling unit shall be classified as a multiple residential.

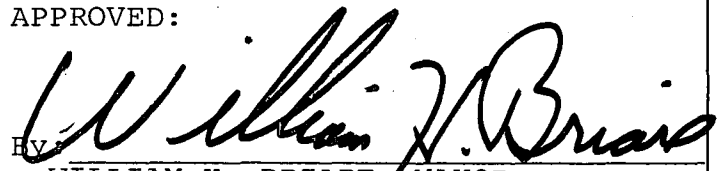
1	Casino	Each fixture	1.50
2	Business operations not		
3	separately rated	Each fixture	0.65
4	Hospital	Each bed	1.20
5	Convalescent and rest		
6	homes	Each bed	0.75
7	School	Each student	0.10
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10	Large commercial ^[1] and	Annual water use ÷	
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18	100,000 to 149,999 gallons		0.50
19	150,000 to 199,999 gallons		0.65
20	200,000 to 249,999 gallons		0.85
21	250,000 to 299,999 gallons		1.00
22	300,000 gallons or more		1.30
23	SECTION 3: If any section, subsection, subdivision,		
24	paragraph, sentence, clause or phrase in this Chapter or any part		
25	thereof, is for any reason held to be unconstitutional or invalid		
26	or ineffective by any court of competent jurisdiction, such de-		
27	cision shall not affect the validity or effectiveness of the		
28	remaining portions of this Chapter or any part thereof. The Board		
29	of City Commissioners of the City of Las Vegas, Nevada, hereby		
30	declares that it would have passed each section, subsection, sub-		
31	division, paragraph, sentence, clause or phrase thereof, irrespec-		
32	tive of the fact that any one or more sections, subsections,		

1 subdivision, paragraphs, sentences, clauses or phrases be declared
2 unconstitutional, invalid or ineffective.

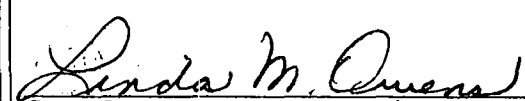
3 SECTION 4: All ordinances or parts of ordinances,
4 sections, subsections, phrases, sentences, clauses or paragraphs
5 contained in the Municipal Code of the City of Las Vegas, Nevada,
6 1960 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this 21st day of
8 April, 1982.

9 APPROVED:

10 
11 BY: WILLIAM H. BRIARE, MAYOR

12
13 ATTEST:

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16 Carol Ann Hawley, City Clerk

17 By: Linda M. Owens, Acting City Clerk
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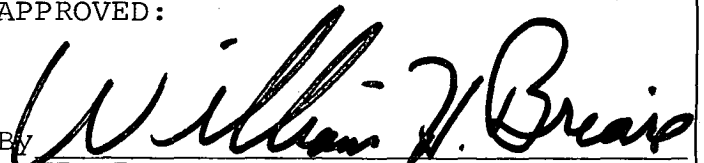
1 The above and foregoing ordinance was first proposed
2 and read by title to the Board of Commissioners on the 7th day
3 of April, 1982, and referred to the following committee
4 composed of Commissioners Christensen and
5 Lurie for recommendation; thereafter
6 the said committee reported favorably on said ordinance on the
7 21st day of April, 1982, which was a regular meeting
8 of said Board; that at said regular meeting, the proposed
9 ordinance was read by title to the Board of Commissioners as
10 amended and adopted by the following vote:

11 VOTING "AYE" Commissioners: Christensen, Levy, Lurie and Mayor Briare

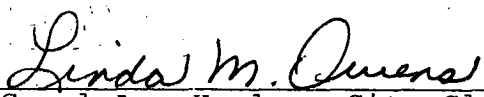
12 VOTING "NAY" Commissioners: None

13 ABSENT: Commissioner Woofter

14 APPROVED:

15 
16 BY WILLIAM H. BRIARE, MAYOR

17 ATTEST:

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19 
20 Carol Ann Hawley, City Clerk

21 By: Linda M. Owens, Acting City Clerk
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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS /

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of one insertions from period of April 14, 1982 to April 14, 1982 inclusive, being the issue of said newspaper for the following dates, to wit:

April 14, 1982

That said newspaper was regularly issued and circulated on each of the dates above named.

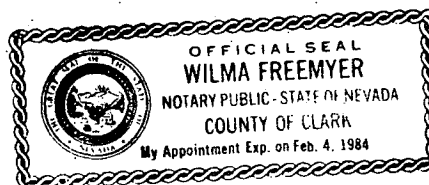
SIGNED _____

GEORGE J. VASCONI

FIRST AMENDMENT
BILL NO. 82-15
AN ORDINANCE RELATING TO
USER CHARGES FOR SEWER
SERVICES; AMENDING TITLE
VIII, CHAPTER 5, SECTION 2, OF
THE MUNICIPAL CODE OF THE
CITY OF LAS VEGAS, NEVADA,
1960 EDITION, AS LAST AMEND-
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SAID CITY, TO PROVIDE THAT
THE ALTERNATE METHOD OF
DETERMINING EQUIVALENT
RESIDENTIAL UNITS ESTAB-
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RELATING THERETO; AND RE-
PEALING ALL ORDINANCES
AND PARTS OF ORDINANCES IN
CONFLICT HEREWITH.
Sponsored by:
Commissioner Paul Christensen
Summary: Clarifies ordinance pro-
visions relating to alternate method
of determining ERU's in prepara-
tion of sewer service bills.
At a Commission Meeting on
April 7, 1982
BILL NO. 82-15 was read by title
and referred to Recommending
Committee:
Commissioners Christensen and
Lurie
COPIES OF THE COMPLETE OR-
DINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE
OFFICE OF THE CITY CLERK,
10TH FLOOR, CITY HALL, 400 EST
STEWART AVENUE, LAS VEGAS,
NEVADA.
Pub. Apr. 14, 1982

Subscribed and sworn to before me
this 15th day of April, 1982

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA

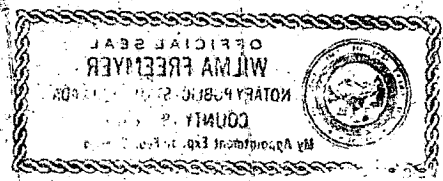


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CITY CLERK

NOTARY PUBLIC IN AND FOR
COUNTY OF CLATSOP
STATE OF OREGON



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of one insertions from period of April 24, 1982 to April 24, 1982 inclusive, being the issue of said newspaper for the following dates, to wit:

April 24, 1982

That said newspaper was regularly issued and circulated on each of the dates above named.

FIRST AMENDMENT
BILL NO. 82-15
ORDINANCE NO. 2274
AN ORDINANCE RELATING TO
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on said amended ordinance on the
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regular meeting of said Board, that
at said regular meeting the pro-
posed ordinance was read by title to
the Board of Commissioners as
amended and adopted by the follow-
ing vote:
VOTING "AYE" Commissioners:
Christensen, Levy, Lurie
and Mayor Briare
VOTING "NAY" Commissioners:
None.
ABSENT: Commissioner Woolter
COPIES OF THE COMPLETE OR-
DINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE
OFFICE OF THE CITY CLERK,
10TH FLOOR, CITY HALL, 400
EAST STEWART AVENUE, LAS
VEGAS, NEVADA.
Pub. Apr. 24, 1982

SIGNED

George J. Vasconi

GEORGE J. VASCONI

Subscribed and sworn to before me
this 27 day of April, 19 82

Glenda Harris

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



GLENDA HARRIS
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Feb. 7, 1986