

1 BILL NO. 80-18

2 ORDINANCE NO. 2073

3
4 AN ORDINANCE RELATING TO THE PAYMENT BY THE CITY OF LAS VEGAS OF
5 SERVICE CHARGES TO THE COUNTY OF CLARK RELATIVE TO THE NEW REGIONAL
6 SEWERAGE FACILITIES OF CLARK COUNTY; REPEALING TITLE VIII, CHAPTER
7 5(A), OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960
8 EDITION; ADDING TO SAID TITLE VIII A NEW CHAPTER, DESIGNATED
9 CHAPTER 5(A), ESTABLISHING A SURCHARGE TO SEWER SERVICE CUSTOMERS
10 OF SAID CITY IN AN AMOUNT SUFFICIENT TO GENERATE THE REVENUES
11 NECESSARY TO PAY THE SERVICE CHARGES IMPOSED BY SAID COUNTY FOR THE
12 USE BY SAID CITY OF SAID REGIONAL SEWERAGE FACILITIES; PROVIDING
13 THE METHOD FOR THE COLLECTION OF SAID SURCHARGE; PROVIDING OTHER
14 MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES
15 AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

16 Sponsored by:

17 Summary: To establish a surcharge to
18 the City's sewer service customers in
19 an amount sufficient to pay the service
20 charges imposed by Clark County for
21 the City's use of the County's new
22 regional sewerage facilities.

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

25 SECTION 1: Title VIII, Section 5(A), of the Municipal
26 Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby
27 repealed.

28 SECTION 2: Title VIII of the Municipal Code of the City
29 of Las Vegas, Nevada, 1960 Edition, is hereby amended by adding
30 thereto a new chapter, designated as Chapter 5(A) and entitled
31 "Surcharges to Finance Payment of Service Charges in Connection
32 With Regional Sewerage Facilities," to consist of the provisions
set forth in Sections 3 to 6, inclusive, of this ordinance.

SECTION 3: The Board of City Commissioners hereby de-
clares as a matter of legislative determination that:

1. The County Sewage and Wastewater Law (NRS 244.922 et
seq.) authorizes the Board of County Commissioners of any county
which has a population of 250,000 or more, among other things, to
acquire, construct, improve, equip, maintain and operate regional
sewerage facilities and to charge the users thereof, either directly

1 or through the respective participating public entities, service
2 charges for the use or for the availability or for both the use and
3 availability of such facilities or the services relating thereto.

4 2. The Board of County Commissioners of Clark County,
5 being a county which has a population in excess of 250,000, has
6 taken appropriate action to acquire or construct regional sewerage
7 facilities, and, through the adoption of Clark County Ordinance
8 No. 562, has imposed upon the prospective users thereof, indirectly
9 by way of annual charges against the respective participating
10 public entities, service charges in an amount for each entity which
11 bears the same relationship to the total annual debt service on
12 the securities which have been and may be issued to finance the
13 acquisition or construction of such facilities as such entity's
14 anticipated annual demand upon the capacity of such facilities
15 bears to the total capacity of the facilities.

16 3. The City of Las Vegas is authorized to and does
17 furnish sanitary sewer service to its sewer service customers
18 residing both within and without the corporate limits of said
19 City through the operation of the City's sewage disposal system,
20 and Clark County's Regional Sewerage Facilities, upon the completion
21 of the construction and the commencement of the operation thereof,
22 will be used to treat sewage generated by such disposal system.

23 4. As a public entity participating in the use of
24 Clark County's Regional Sewerage Facilities, the City of Las Vegas
25 will be required, pursuant to Clark County Ordinance No. 562, to
26 pay to Clark County an annual service charge in an amount which
27 bears the same relationship to the total annual debt service on
28 such securities as the City's anticipated annual demand upon the
29 capacity of the Regional Sewerage Facilities bears to the total
30 capacity of such facilities.

31 5. Both the County Sewage and Wastewater Law and Clark
32 County Ordinance No. 562 permit the City of Las Vegas to impose a

1 surcharge on the customers of its sewage disposal system, as the
2 ultimate users of Clark County's Regional Sewerage Facilities, in
3 an aggregate amount sufficient to enable the City to pay the ser-
4 vice charge assessed against it as aforesaid.

5 6. The surcharge herein established is necessary and
6 reasonably calculated to generate sufficient revenues with which
7 to pay the amount of the annual service charge required of the City
8 to be paid to Clark County pursuant to said Clark County Ordinance
9 No. 562.

10 SECTION 4: (A) The terms "customer" and "sewer service
11 customer" are synonymous and mean a user of the sewer services of
12 the City of Las Vegas whose wastewater flows through any part of
13 the City's sewage collection system into the City's sewage treat-
14 ment plant.

15 (B) The term "equivalent residential unit" means the
16 average amount of wastewater discharged by a single-family resi-
17 dence, without a swimming pool, which has been determined to be
18 7,500 gallons per month. The number of equivalent residential
19 units to be charged to the individual customers of the City's
20 sewage disposal system shall be determined in accordance with the
21 schedule and the definitions contained in Clark County Ordinance
22 No. 562, Section 5(A) and Section 5(B), respectively, as said
23 schedule and definitions may from time to time be amended.

24 SECTION 5: There is hereby established and imposed
25 upon the customers of the City's sewage disposal system, effective
26 as of January 1, 1980, a surcharge in the amount of five dollars
27 (\$5.00) per equivalent residential unit, and each said customer
28 shall pay to the City annually, as his, her or its proportionate
29 share of the service charge due from the City to Clark County pur-
30 suant to Clark County Ordinance No. 562, an amount equal to five
31 dollars (\$5.00) multiplied by the number of equivalent residential
32 units charged to such customer. Such surcharge shall be billed

1 annually in advance to each customer of the City's sewage disposal
2 system, including those whose properties are hereafter connected
3 thereto; provided, however, that the amount of such surcharge may
4 hereafter be adjusted from time to time to reflect any change
5 effected by Clark County in such service charge pursuant to Section
6 4(F) to Section 4(H), inclusive, of said Ordinance No. 562.

7 SECTION 6: (A) The full amount of the surcharge shall
8 be paid by each sewer service customer within thirty (30) days
9 after the due date specified in such customer's bill. If the sur-
10 charge, or any portion thereof, remains unpaid for thirty (30)
11 days or more following the due date, the surcharge shall be deemed
12 delinquent and a ten percent (10%) penalty shall be charged thereon.
13 If the surcharge and the penalty assessed thereon remain unpaid
14 for sixty (60) days or more following the due date, sewer service
15 to such customer may be discontinued, with the cost of disconnec-
16 tion and reconnection to be borne by the sewer service customer or
17 by the owner of the property which receive the sewer service or
18 by both the sewer service customer and the owner of the property
19 which received the sewer service.

20 (B) Until paid, the surcharge established by this
21 Chapter, including any penalty thereon, shall constitute a per-
22 petual lien on and against the real property and premises which
23 received the sewer service, from the date the surcharge and penalties
24 become due, as well as constituting a debt owing to the City of
25 Las Vegas by the sewer service customer and by the record owner of
26 such property, if such owner is someone other than the sewer
27 service customer. The City may bring a civil action in any court
28 of competent jurisdiction to recover the surcharge and penalties.
29 Additionally, the City may enforce said lien by recording a Notice
30 of Lien in the office of the County Recorder after the surcharge
31 becomes delinquent and foreclosing the same against such property
32 in the same manner as provided by the laws of the State of Nevada.

1 for the foreclosure of mechanics' liens.

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

14 SECTION 8: All ordinances or parts of ordinances,
15 sections, subsections, phrases, sentences, clauses or paragraphs
16 contained in the Municipal Code of the City of Las Vegas, Nevada,
17 1960 Edition, in conflict herewith are hereby repealed.

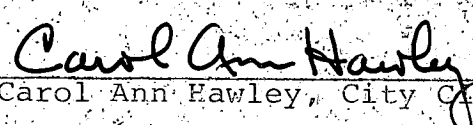
18 PASSED, ADOPTED and APPROVED this 20th day of February,
19 1980.

20 APPROVED:

21
22 By 

23 RON LURIE, MAYOR PRO-TEM

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25 ATTEST:


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27 Carol Ann Hawley, City Clerk

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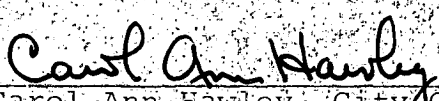
The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 6th day of February, 1980, and referred to the following committee composed of Commissioners Christensen and Lurie for recommendation; thereafter the said committee reported favorably on said ordinance on the 20th day of February, 1980, which was a regular meeting of said Board; that at said regular meeting, the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE" Commissioners: Levy, Lurie and Woofter and Mayor Briare
VOTING "NAY" Commissioners: None
ABSENT: Commissioner Christensen
(excused)

APPROVED:

By 
RON LURIE, MAYOR PRO-TEM

ATTEST:


Carol Ann Hawley, City Clerk

CITY CLERK

MAR 3 10 01 AM '80

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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 February 23, 1980 to February 23, 1980 inclusive, being the issue of said newspaper for the following dates, to wit:

February 23, 1980

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

BILL NO. 80-18
ORDINANCE NO. 2073
AN ORDINANCE RELATING TO THE PAYMENT BY THE CITY OF LAS VEGAS OF SERVICE CHARGES TO THE COUNTY OF CLARK RELATIVE TO THE NEW REGIONAL SEWERAGE FACILITIES OF CLARK COUNTY; REPEALING TITLE VIII, CHAPTER 5 (A), OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, ADDING TO SAID TITLE VIII A NEW CHAPTER, DESIGNATED CHAPTER 5 (A), ESTABLISHING A SURCHARGE TO SEWER SERVICE CUSTOMERS OF SAID CITY IN AN AMOUNT SUFFICIENT TO GENERATE THE REVENUES NECESSARY TO PAY THE SERVICE CHARGES IMPOSED BY SAID COUNTY FOR THE USE BY SAID CITY OF SAID REGIONAL SEWERAGE FACILITIES; PROVIDING THE METHOD FOR THE COLLECTION OF SAID SURCHARGE; PROVIDING MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCE AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by
Summary: To establish a surcharge to the City's sewer service customers in an amount sufficient to pay the service charges imposed by Clark County for the City's use of the County's new regional sewerage facilities.

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 6th day of February, 1980, and referred to the following committee composed of Commissioners Christensen and Lurie for recommendation thereafter the said Committee reported favorably on said ordinance on the 20th day of February, 1980, which was a regular meeting of said Board; that at said regular meeting, the proposed ordinance was read by title to the Board of Commissioners as first introduced by the following vote:

VOTING "AYE"
Commissioners: Levy, Lurie and Woolfer and Mayor Brlare
VOTING "NAY"
Commissioners: None
ABSENT: Commissioner: Christensen (excused)

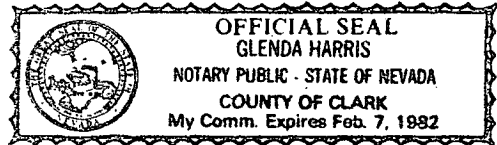
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
Pub. Feb. 23, 1980

SIGNED *George J. Vasconi*
GEORGE J. VASCONI

Subscribed and sworn to before me this 27 day of Feb, 1980

Glenda Harris

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 02-28-80 BY SP-6 JAC/STP

AFFIDAVIT OF PUBLICATION

CITY CLERK

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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 February 12, 1980 to February 12, 1980 inclusive, being the issue of said newspaper for the following dates, to wit:

February 12, 1980

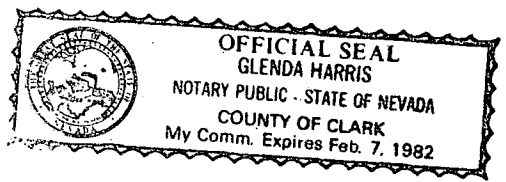
That said newspaper was regularly issued and circulated on each of the dates above named.

BILL NO. 80-18
ORDINANCE NO. 18
AN ORDINANCE RELATING TO THE PAYMENT BY THE CITY OF LAS VEGAS OF SERVICE CHARGES TO THE COUNTY OF CLARK RELATIVE TO THE NEW-REGIONAL SEWERAGE FACILITIES OF CLARK COUNTY; REPEALING TITLE VIII, CHAPTER 5 (A), OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION; ADDING TO SAID TITLE VIII A NEW CHAPTER, DESIGNATED CHAPTER 5(A), ESTABLISHING A SURCHARGE TO SEWER SERVICE CUSTOMERS OF SAID CITY IN AN AMOUNT SUFFICIENT TO GENERATE THE REVENUES NECESSARY TO PAY THE SERVICE CHARGES IMPOSED BY SAID COUNTY FOR THE USE BY SAID CITY OF SAID REGIONAL SEWERAGE FACILITIES; PROVIDING THE METHOD FOR THE COLLECTION OF SAID SURCHARGE; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.
Sponsored by:
Summary: To establish a surcharge to the City's sewer service in an amount sufficient to pay the service charges imposed by Clark County for the City's use of the County's new regional sewerage facilities.
At a Commission Meeting on February 6, 1980
BILL NO. 80-18 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE.
COMMISSIONERS Christensen and Lurie COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
Pub, Feb. 12, 1980

SIGNED *George J. Vasconi*
GEORGE J. VASCONI

Subscribed and sworn to before me this 13 day of Feb, 19 80

Glenda Harris
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



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CORNY, MARY

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FAX 525-5678

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