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BILL NO. 2010-2

ORDINANCE NO. 6076

AN ORDINANCE RELATING TO SEWER SERVICE CHARGES; ELIMINATING THE ANNUAL SEWER SERVICE RATE INCREASE OTHERWISE EFFECTIVE IN 2010; PROVIDING FOR THE ESTABLISHMENT OF A SENIOR CITIZEN SEWER CHARGE REBATE PROGRAM IN LIEU OF THE CURRENT HARDSHIP DETERMINATION PERTAINING TO SEWER CHARGE INCREASES; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Eliminates the annual sewer service rate increase otherwise effective in 2010 and provides for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

AS FOLLOWS:

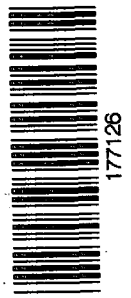
SECTION 1: Title 14, Chapter 4, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 14, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto two new sections, designated as Sections 30 and 40, reading respectively as follows:

14.04.030: (A) The annual charge rate per ERU for a particular user shall be as set forth below (which includes the five percent assessment fee pursuant to Section 14.04.130):

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

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



1 payment of the charge rate.

2 (C) The charge rate per ERU set forth in Subsection (A) of this Section shall be
3 increased by the Director of Finance and Business Services on the first day of January, 2011, and
4 annually thereafter, in an amount equal to the annual charge rate of the preceding fiscal year,
5 multiplied by the lesser of five percent or the average percentage for the preceding five years of
6 increase in the Consumer Price Index for All Urban Consumers for All Items, U.S. City Average
7 (1967=100) that is published by the Bureau of Labor Statistics, United States Department of Labor.

8 **14.04.040:** (A) The City shall establish a program by which a rebate of twenty percent of the
9 annual sewer charge rate calculated pursuant to Section 14.04.030 may be issued to the owner of a
10 single family dwelling who qualifies under this Section.

11 (B) A person qualifies for a rebate under this Section if he or she:

12 (1) Is an owner and occupant of the dwelling and has paid the annual sewer
13 charge for the dwelling; and

14 (2) In accordance with Subsection (C) of this Section, meets the eligibility
15 criteria for the rebate and successfully completes an application for rebate.

16 (C) To the extent feasible, eligibility for the rebate shall be determined (and
17 applications processed) in accordance with the provisions of Sections 6.67.120 to 6.67.160, inclusive,
18 relating to public utility surcharge refunds. The City may make such adaptations as deemed necessary
19 to fit the rebate program.

20 (D) No more than one rebate may be issued for any particular dwelling in a given
21 year.

22 SECTION 3: This Ordinance shall become effective the day following its publication,
23 but shall be deemed effective as of January 1, 2010.

24 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
25 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
26 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

1 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
2 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
3 invalid or ineffective.

4 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
5 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
6 1983 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this 20th day of JANUARY, 2010.

8 APPROVED:

9
10 By 
OSCAR B. GOODMAN, Mayor

11 ATTEST:
12 
13 BEVERLY K. BRIDGES, MMC
City Clerk

14
15 APPROVED AS TO FORM:
16 Valsteel 12-21-09
Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of November, 2009, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 16th day of December, 2009, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:


- VOTING "AYE": Mayor Pro Tem Reese and Councilmembers Wolfson, Tarkanian, Ross, Barlow and Anthony
- VOTING "NAY": None
- EXCUSED: Mayor Goodman
- ABSTAINED: None
- DID NOT VOTE: None

APPROVED:



OSCAR B. GOODMAN, Mayor

ATTEST:



BEVERLY K. BRIDGES, MMC City Clerk

**BUSINESS IMPACT STATEMENT
BILL NO. 2010-2**

(Eliminates the annual sewer service rate increase otherwise effective in 2010, and provides for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2010-2, that would eliminate the annual sewer service rate increase otherwise effective in 2010, and provide for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases.

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 2010 CPI increase in sewer rates

Direct effects:

Relief from 2010 CPI increase in sewer rates

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 21, 2009

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 229631.1LV 5991332

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/08/2010 to 01/08/2010, on the following days:

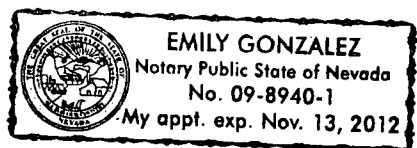
01/08/2010

BILL NO. 2010-2
AN ORDINANCE RELATING TO SEWER SERVICE CHARGES; ELIMINATING THE ANNUAL SEWER SERVICE RATE INCREASE OTHERWISE EFFECTIVE IN 2010; PROVIDING FOR THE ESTABLISHMENT OF A SENIOR CITIZEN SEWER CHARGE REBATE PROGRAM IN LIEU OF THE CURRENT HARDSHIP DETERMINATION PERTAINING TO SEWER CHARGE INCREASES; AND PROVIDING FOR OTHER RELATED MATTERS.
Sponsored by: Councilman Steven D. Ross
Summary: Eliminates the annual sewer service rate increase otherwise effective in 2010 and provides for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases.
At the City Council meeting of JANUARY 6, 2010
BILL NO. 2010-2 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: January 8, 2010
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
8th day of Jan., 2010.

Emily Gonzalez
Notary Public



RECEIVED
CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada

2010 JAN 29 A 11:50

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 6025193

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/23/2010 to 01/23/2010, on the following days:

01/23/2010

BILL NO. 2010-2
ORDINANCE NO. 6076

AN ORDINANCE RELATING TO SEWER SERVICE CHARGES; ELIMINATING THE ANNUAL SEWER SERVICE RATE INCREASE OTHERWISE EFFECTIVE IN 2010; PROVIDING FOR THE ESTABLISHMENT OF A SENIOR CITIZEN SEWER CHARGE REBATE PROGRAM IN LIEU OF THE CURRENT HARDSHIP DETERMINATION PERTAINING TO SEWER CHARGE INCREASES; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross
Summary: Eliminates the annual sewer service rate increase otherwise effective in 2010 and provides for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 6th day of January 2010 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20th day of January 2010, 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 introduced and was adopted by the following vote:

VOTING "AYE": Mayor *Pro Tem Reese and Councilmembers Wolfson, Tarkanian, Ross, Barlow and Anthony
VOTING "NAY": NONE
EXCUSED: GOODMAN

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 23, 2010
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 23rd day of Jan, 2010.

Emily Gonzalez
Notary Public

