

BILL NO. 2002-35

ORDINANCE NO. 5457

AN ORDINANCE TO AMEND THE MUNICIPAL CODE PROVISIONS RELATING TO SEWER SERVICE CHARGES TO ADD CERTAIN CUSTOMER CLASSES, TO REVISE THE BILLING AND COLLECTION PROVISIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent,
Director of Finance and Business Services

Summary: Amends the City's sewer regulations to add customer classes and revise the billing and collection provisions.

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

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

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

"Apartment house" means a structure which contains three or more rental dwelling units on the same lot or parcel and which does not qualify under another customer class as defined in this Section. The term includes [a complex which provides one or more personal care services to senior citizens for daily living needs,] an assisted living apartment, as defined in Subchapter 19A.20.020, but does not include a convalescent care facility[.]or senior apartment house.

"Barbershop" means an establishment in which the practice of barbering is engaged in or carried on.

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

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

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

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

1 “Church” means a structure primarily used for activities sponsored by a religious organization.

2 “Cinema theater” means a cinemaplex, multiplex theater, or other structure whose main
3 function is to screen movies.

4 “Clinic” means an establishment for the administration of professional chiropractic, dental,
5 medical or veterinarian care on an out-patient basis, including the individual office of any such
6 practitioner.

7 “Commodity charge” means that portion of the user charge associated directly with wastewater
8 collection and treatment and which is calculated for a user by multiplying the ERU rate for that user’s
9 customer class by the number of ERUs assigned to that customer.

10 “Community center” means a facility which is operated in connection with and incidental to
11 a private multi-family or planned residential development and which provides community activities
12 for residents of the development.

13 “Condominium” means a multiple-family dwelling in which each dwelling unit is owned
14 individually, while other elements of the land and facilities are owned in common with other unit
15 owners.

16 [“Convalescent care facility” means an establishment used or designed to provide housing and
17 personal and health care supervision to convalescents, invalids, aged or infirm persons. The term
18 includes a nursing home, rest home or other adult care facility.] “Convalescent care facility/nursing
19 home” means a building that is used, or designed or intended to be used, to house and provide care
20 for persons who have a chronic physical or mental illness or infirmity. The term includes a rest home
21 but does not include an apartment house, hospital or special care facility.

22 “Custodial institution” means a facility which is used for the housing or detention of persons
23 who have been charged with or convicted of crimes. The term includes any prison, jail, or detention
24 facility, [or group facility for the housing of persons on probation or parole.]

25 “Customer” means the owner of real property who is responsible for the payment of sewer
26 service charges assessed to the property.

27 “Day spa” means a facility in which multiple services in cosmetology, massage, acupressure
28 and reflexology are offered to the public. The facility may include without limitation such related

1 operations as the sale of beauty products and boutique items; tanning booths; permanent makeup; and
2 eating establishments.

3 “Duplex” means a building containing two attached dwelling units which are separated from
4 each other by an unpierced wall extending from ground to roof, with both units located on the same
5 lot or parcel.

6 “Dwelling unit” means one or more rooms located within a structure and occupied or intended
7 for occupancy as separate living quarters for a single family, with cooking, sleeping and sanitary
8 facilities provided within the dwelling unit.

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

11 “Family” means one or more persons customarily living together and occupying a single
12 dwelling unit.

13 “Financial institution” means a bank, credit union, savings and loan association, debt
14 adjustment company, loan company, mortgage company, thrift company or trust company.

15 “Fixture” means a device which is connected to the hot or cold water supply system or both
16 and which is connected to the wastewater collection system of the City* and includes but is not
17 limited to the following:

- 18 (1) Bathtub (with or without overhead shower). Each bathtub is a separate fixture;
- 19 (2) Bidet (standard bathroom fixture);
- 20 (3) Car wash:
 - 21 (a) Each bay of a coin-operated car wash is a fixture,
 - 22 (b) Each water source arch of a drive- or tow-through car wash is a fixture.
- 23 (Water source arches using recycled water are not considered fixtures);
- 24 (4) Commode (toilet or water closet);
- 25 (5) Cooking utensil with supply and drain (built-in pot or cooking pan that has an
26 adjacent water source exclusively for filling or washing the utensil, which water is immediately or at
27 some future time, dumped into a drain, directly from said utensil). Each utensil is a separate fixture;
- 28 (6) Dental cuspidor (bowl hinged to dental chair used by patients when removing

fluids from their mouth). Each bowl is a separate fixture;

(7) Dipwell (receptacle with a water source and drain, used primarily to rinse ice cream scoops or other utensils). Each receptacle is a separate fixture.

(8) Drinking fountain. Each water outlet on a drinking fountain unit is a separate fixture;

(9) Dishwasher (domestic or commercial). Each dishwasher is a separate fixture;

(10) Fruit and vegetable sprayer (nozzle spray equipment attached to a length of hose for manual use or an automated nozzle spray system). Each manually operated nozzle and each automated nozzle spray system is a separate fixture;

(11) Glass fill (fountain device used to fill glasses with drinking water). Each device is a separate fixture;

(12) Shower stall (stand-up shower enclosure);

(13) Group shower (a shower room or enclosure with multiple shower heads and one or more drains). Each shower head is a separate fixture;

(14) Sinks:

(a) Bar sink. Each water outlet of a bar sink, whether the sink has single or multiple sections, is a separate fixture,

(b) Barber sink. Each sink is a separate fixture,

(c) Beauty parlor or hair wash sinks. Each sink is a separate fixture,

(d) Kitchen utility sink (any sink in a restaurant kitchen used for the preparation of food or for washing dishes). Each sink is a separate fixture,

(e) Laundry sink (a square, high-sided sink with one or more sections; also referred to as a mop sink). Each water outlet of the laundry sink is a separate fixture,

(f) Lavatory (a fixed bowl or basin with running water and drainage for washing). Each lavatory is a separate fixture,

(g) Mop sink (a square, high-sided sink with one or more sections; also referred to as a laundry sink). Each water outlet on a mop sink is a separate fixture,

(h) Wash sink (a restroom fixture designed to accommodate several persons

washing at the same time with one or more water outlets). Each water outlet on a wash sink is a separate fixture;

(15) Steam table with water supply and drain is one fixture. A steam table equipped with a built-in sink in addition to having an independent source of water and drain is deemed to have two separate fixtures;

(16) Urinal:

(a) Each urinal designed for solo usage is a separate fixture,

(b) Every two feet of a trough style urinal is a separate fixture;

(17) Washing machine. Each machine, regardless of size, is a separate fixture;

(18) Water supply outlet with drain (any water source that is used in conjunction with a drain that is not specifically designated in this Section; for example, hose bib and wash rack or water tank system). Each water outlet or water tank is a separate fixture;

(19) Whirlpool therapy. Each item of therapy equipment that is provided with a water source and a drain is a separate fixture;

(20) X-ray machine with water supply and drain. Each machine connected to a source of water and drain is a separate fixture.

“Guest quarters/casita” means a structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters for the occupants of the principal dwelling, their temporary guests or domestic employees. The term does not include a structure which is made available on a rental basis.

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

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

(2) Recovering from alcohol or drug abuse.

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

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

1 solids strengths greater than three hundred fifty milligrams per liter.

2 “Hospital” or “general hospital” means an [establishment] institution, generally designed with
3 an integrated campus setting, for the diagnosis, care and treatment of human illness, including [care
4 available twenty-four hours each day from persons licensed to practice professional nursing who are
5 under the direction of a physician, services of a medical laboratory and medical, radiological, dietary
6 and pharmaceutical services.] surgery and primary treatment. The term includes a “general hospital”
7 designated as such pursuant to NRS 449.021 and NAC 449.285, but does not include a “specialty
8 hospital.”

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

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

14 “Laundry” means:

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

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

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

23 “Mixed use operations” means two or more business operations that normally would not be
24 considered to be in the same consumer class and are being conducted within the same building, are
25 not completely separated by walls, and do not have separate entrances to each business operation.
26 Sharing of fixtures by more than one business operation may or may not occur.

27 “Mobile home residential estate” and/or “mobile home park” means a place which is used or
28 intended for use to park two or more trailers for occupancy as living quarters for human beings for

thirty days or more.

“Motel/hotel/rooming house” means a structure containing two or more rooms wherein:

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

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

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

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

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

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

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

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

“Recreational vehicle park” means a place which is used or intended for use to park two or more trailers for occupancy as living quarters for human beings for less than thirty days.

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

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

(2) Customary hotel services are provided, such as linen service, maid service,

1 telephone service and furniture upkeep; and

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

4 “Resort hotel” means a building or a group of buildings which are designed and integrated to
5 clearly demonstrate the appearance of one facility wherein:

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

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

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

11 (4) There are more than two hundred guestrooms available for sleeping
12 accommodations;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 “Sports complex” means an establishment which exceeds a spectator capacity of 5,000 people
22 used for athletic events, including but not limited to baseball, basketball, soccer, rodeos and track and
23 field events.

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

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

28 “Theater” means a structure which is especially adapted to dramatic, [motion picture,] operatic

or spectacular presentations, excluding cinema theaters, hotels, nightclubs and restaurants which furnish entertainment in connection with serving food or other refreshments.

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

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

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

Air-conditioner,
Boiler,
Coffee urn,
Dental unit vacuum extraction,
Emergency equipment,
Garbage disposal unit,
Ice machine,
Ice trays,
Refrigerator,
Soft drink machine, if it has no glass fill feature, water source or drain,
Water softener.

SECTION 2: Title 14, Chapter 4, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.04.020: The following equivalent residential unit (ERU) schedule shall be used in calculating the user charges:*

Customer Class	Billing Unit	ERUs
Single-family dwelling	Each dwelling unit	1.00
Mobile home residential estates**	Each trailer lot	1.00
Mobile home parks	Each trailer lot	1.00

1	Multiple-family dwelling	Each dwelling unit	1.00
2	Two-family dwelling	Each dwelling unit	1.00
3	Condominium	Each dwelling unit	1.00
4	Plus: outside fixtures in common areas	Each fixture	0.45
5	Apartment house	Each dwelling unit	0.70
6	Plus: fixtures outside of dwelling units	Each fixture	0.45
7	<u>Senior apartment house</u>	<u>Each dwelling unit</u>	<u>0.50</u>
8	<u>Plus: fixtures outside of dwelling units</u>	<u>Each fixture</u>	<u>0.45</u>
9	Guest quarters/casita	Each structure	0.60
10	<u>Halfway house</u>	<u>Each dwelling unit</u>	<u>1.00</u>
11	Recreational vehicle parks	Each vehicle space	0.70
12	Plus: fixtures	Each fixture	0.45
13	Resort Hotel	Each room	0.60
14	Plus: fixtures outside of rooms (including fixtures in casinos and restaurants)	Each fixture	1.50
15			
16	<u>Residence hotel</u>	<u>Each unit</u>	<u>0.70</u>
17	<u>Plus: fixtures outside of rooms</u>	<u>Each fixture</u>	<u>0.45</u>
18	Casino	Each fixture	1.50
19	Motel/hotel/rooming house	Each room	0.60
20	Plus: fixtures outside of rooms	Each fixture	0.75
21	Business operations not separately rated/retail sales (including motor vehicle sales and retail establishments serving food)	Each fixture	0.65
22			
23			
24	Business operations not separately rated/wholesale of service only	Each fixture	0.45
25			
26	Hospital	Each bed	1.20
27	<u>Specialty hospital</u>	<u>Each bed</u>	<u>1.20</u>
28	...		

1	Convalescent care facility/ <u>nursing home</u>	Each bed	0.75
2	<u>Special care facility</u>	<u>Each bed</u>	<u>0.75</u>
3	Custodial institution	Each bed	0.50
4	School	Each student	0.10
5	Child care center	Each student	0.10
6	Beauty shops	Each fixture	0.50
7	<u>Day spa</u>	<u>Each fixture</u>	<u>0.60</u>
8	Restaurant (take out only)	Each fixture	0.45
9	Restaurant (with seating under 45)	Each fixture	0.65
10	Restaurant (with seating 45 and over)	Each fixture	1.33
11	<u>Tavern (with food sales/service)</u>	<u>Each fixture</u>	<u>1.00</u>
12	<u>Tavern (without food sales/service)</u>	<u>Each fixture</u>	<u>0.65</u>
13	<u>Nightclub</u>	<u>Each fixture</u>	<u>0.65</u>
14	Barbershops	Each fixture	0.30
15	Clinics	Each fixture	0.45
16	Laundromat	Each fixture	0.45
17	Offices, except as otherwise listed	Each fixture	0.45
18	Service establishments, except as otherwise listed	Each fixture	0.45
19			
20	Financial institutions	Each fixture	0.30
21	<u>Cinema theaters</u>	<u>Each fixture</u>	<u>0.35</u>
22	Theaters	Each fixture	0.30
23	Maintenance, renovation and repair shops	Each fixture	0.30
24	Sports complexes	Each fixture	0.30
25	Private clubs	Each fixture	0.45
26	Community center	Each fixture	0.45
27	<u>Park or playground</u>	<u>Each fixture</u>	<u>0.45</u>
28	Church	Each fixture	0.25

1	Vacant establishments	Each fixture	0.25
2	Large commercial and other	Annual water use ÷ 90,000 gallons = No. ERUs***	
3			
4	Laundries	0.85 x annual water use ÷ 90,000 gallons = No. ERUs***	
5			
6	<u>Mixed use operations (within a facility that has its own separate meter to measure water consumption)</u>	<u>0.85 x annual water use ÷ 90,000 gallons = No. ERUs***</u>	
7			
8	<u>Mixed use operations (within a facility that does not have its own separate meter to measure water consumption)</u>	<u>ERUs based upon customer class of the primary use</u>	
9			
10			
11	Swimming pools – public and private – each pool by capacity		
12	30,000 gallons and less	0.10	
13	30,001 to 99,999 gallons	0.25	
14	100,000 to 149,999 gallons	0.50	
15	150,000 to 199,999 gallons	0.65	
16	200,000 to 249,999 gallons	0.85	
17	250,000 to 299,999 gallons	1.00	
18	300,000 gallons or more	1.30	

16 *In instances in which the application of the billing units provided for in this schedule, or the
17 application of the term “water use,” to determine the number of ERUs discharged by a particular user,
18 other than a residential user, causes inequity, the discharger, other than a residential user, may petition
19 to substitute its actual annual discharge to the sewer system in lieu of the billing units provided for
20 in this schedule or in lieu of the annual water use quantities, in the case of a large commercial user as
21 defined in Section 14.04.010, for the purpose of determining its ERUs, provided that the discharge
22 is measured by an appropriate metering device approved by the City. If this method is employed, the
23 ERUs shall be computed by dividing the actual discharge by 90,000 gallons. The cost of obtaining
24 and installing the metering device is to be borne by the discharger.

25 **Trailers which contain more than one dwelling unit shall be classified as multiple-family dwellings.

26 ***Annual water use will be estimated by the Director of Public Works. After the first full year of
27 discharging, the number of ERU’s may be adjusted at the discretion of the Director to reflect actual
28 use.

1 SECTION 3: Title 14, Chapter 4, Section 80, of the Municipal Code of the City of
2 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **14.04.080:** (A) All bills for services rendered by or through the municipal sewage disposal
4 system shall be rendered annually in advance on the first day of the month on which the annual cycle
5 billing established for such premises shall commence, shall be payable annually in advance unless the
6 customer elects to pay the annual bill in semiannual or quarterly installments. Customers electing to
7 make installment payments must pay an installment collection fee of three dollars with each
8 installment payment. The first semiannual or quarterly installment payment must be paid in advance,
9 with any remaining amount due constituting a lien against the property. Payment of all bills rendered
10 shall be made to the Department of Finance and Business Services, and [no license shall be granted
11 for the conducting of any business requiring a license in any] any business license for a multiple
12 dwelling or place of business that is associated with such billing may be withheld or suspended unless
13 the remaining portion of the current year's annual billing, or, if the customer has elected to pay in
14 semiannual or quarterly installments, the remaining portion of the current semiannual or quarterly
15 installment thereof, as the case may be, [shall be] is paid in advance.

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

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

24 **14.04.090:** The full amount of the sewer service bill shall be paid by each [sewer service] customer
25 within [thirty] fifteen days after the due date specified in such customer's bill; provided, however,
26 that, if the customer has elected to pay the amount of such bill in:

27 (A) Semiannual installments, as is provided for in LVMC 14.04.080, the first such
28 semiannual installment shall be paid within [thirty] fifteen days after such due date, and the second

1 shall be paid within [two hundred ten] one hundred ninety-five days after such due date; or

2 (B) Quarterly installments, as provided for in LVMC 14.04.080, the first quarterly
3 installment shall be paid within [thirty] fifteen days after such due date, the second shall be paid
4 within one hundred [twenty] five days after such due date, the third shall be paid within [two hundred
5 ten] one hundred ninety-five days after such due date, and the fourth shall be paid within [three
6 hundred] two hundred eighty-five days after such due date.

7 If any portion of the sewer service bill, or, if the customer has elected to pay such bill in semiannual
8 or quarterly installments, any portion of either or any of such semiannual or quarterly installments,
9 as the case may be, remains unpaid for [thirty] fifteen days or more following the date on which the
10 same was due, the amount outstanding shall be deemed delinquent and a [ten] fifteen percent penalty
11 shall be charged thereon. If the amount outstanding and the penalty assessed thereon remain unpaid
12 for sixty days or more following the date on which the same was due, sewer service to such customer
13 may be discontinued, with the cost of disconnection and reconnection to be borne by the [sewer
14 service] customer, [or by the owner of the property which received the sewer service or by both the
15 sewer service customer and the owner of the property which received the sewer service.]

16 SECTION 5: Title 14, Chapter 4, Sections 130 to 185, inclusive, of the Municipal
17 Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

18 SECTION 6: Title 14, Chapter 4, Section 200, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **14.04.200:** The number of equivalent residential units from which sewer connection fees will be
21 calculated shall be determined by the Department of Building and Safety in accordance with the
22 schedule set forth at LVMC 14.04.020. For purposes of calculating the fees in accordance with this
23 Section and LVMC 14.04.210, the customer class and the number and type of fixture shall be
24 determined from the submitted construction documents. Credit will be given for fixtures removed on
25 an ERU for ERU basis.

26 SECTION 7: The repealer provisions contained in Section 5 of this Ordinance shall
27 not affect the accrual, collection or disposition of any surcharge that became due before the effective
28 date of this Ordinance.

1 SECTION 8: This Ordinance shall become effective on the day following its
2 publication. However, to provide for an orderly transition, the provisions of this Ordinance that
3 require the owners of real property to be the “customers” for purposes of sewer service may be
4 implemented as and when deemed appropriate by the Department of Finance and Business Services.

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

13 SECTION 10: Whenever in this ordinance any act is prohibited or is made or declared
14 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
15 required or the failure to do any act is made or declared to be unlawful or an offense or a
16 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
17 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
18 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
19 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

20 SECTION 11: All ordinances or parts of ordinances or sections, subsections, phrases,

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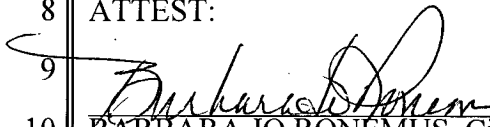
1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 20 day of March, 2002.

4 APPROVED:

5
6 By 
7 OSCAR B. GOODMAN, Mayor

8 ATTEST:

9 
10 BARBARA JO RONEUMUS, City Clerk

11 APPROVED AS TO FORM:

12  2-6-02
13 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 20th day of February, 2002, and referred to a committee for recommendation; thereafter the
3 committee reported favorably on said ordinance on the 20th day of March, 2002, which was a
4 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by
5 title to the City Council as first introduced and adopted by the following vote:

6 VOTING "AYE": Councilmembers Reese, M. McDonald, Brown, L. B. McDonald, Weekly
and Mack

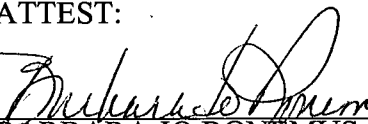
7 VOTING "NAY": None

8 EXCUSED: Mayor Goodman

9
10 APPROVED:

11 
12 _____
OSCAR B. GOODMAN, Mayor

13 ATTEST:

14 
15 _____
BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Beverlee Marrott, 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
2108456

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/08/02 to 03/08/2002, on the following days: MAR. 8, 2002

Signed: Beverlee Marrott

SUBSCRIBED AND SWORN BEFORE ME THIS THE 8

day of March 2002

Mary B. Sheffield
Notary Public

MARY B. SHEFFIELD
Notary Public State of Nevada
No. 99-53968-1
My appt. exp. Mar. 8, 2003

RECEIVED
CITY CLERK

2002 MAR 18 P 2:01

BILL NO. 2002-35

AN ORDINANCE TO AMEND THE MUNICIPAL CODE PROVISIONS RELATING TO SEWER SERVICE CHARGES TO ADD CERTAIN CUSTOMER CLASSES, TO REVISE THE BILLING AND COLLECTION PROVISIONS,

AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent, Director of Finance and Business Services
Summary: Amends the City's sewer regulations to add customer classes and revise the billing and collection provisions.

At a City Council meeting FEBRUARY 20, 2002
BILL NO. 2002-35 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, CITY HALL, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: March 8, 2002
LV Review-Journal

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, 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
2128480

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1
edition(s) of said newspaper issued from 03/23/02 to 03/23/2002, on
the following days: MARCH 23, 2002

BILL NO. 2002:35
ORDINANCE NO. 5457

AN ORDINANCE TO AMEND
THE MUNICIPAL CODE
PROVISIONS RELATING TO
SEWER SERVICE CHARGES
TO ADD CERTAIN CUSTOMER
CLASSES, TO REVISE THE
BILLING AND COLLECTION
PROVISIONS, AND TO PROVIDE
FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent, Director of Finance and Business Services
Summary: Amends the City's sewer regulations to add customer classes and revise the billing and collection provisions.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of February, 2002, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20TH day of March, 2002, 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 adopted by the following vote:

VOTING "AYE": Councilmembers Reese, M. McDonald, Brown, L.B. McDonald, Weekly and Mack
VOTING "NAY": NONE
EXCUSED: Mayor 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.
SUB: March 23, 2002
LV Review-Journal

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

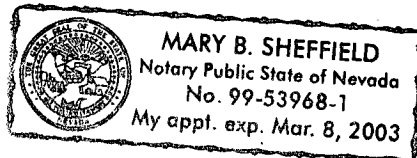
27

day of _____ 2002

March

Mary B. Sheffield

Notary Public



2002 MAR 28 P 2:33

RECEIVED
CITY CLERK