

FIRST AMENDMENT

Bill No. 95-63

Ordinance No. 3931

AN ORDINANCE RELATING TO SEWER USAGE CHARGES; AMENDING TITLE 14, CHAPTER 4, SECTION 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO EXPAND THE DEFINITION OF THE TERM "FIXTURE," TO ADD THE DEFINITION OF THE TERMS "MOTEL/HOTEL," "RESORT HOTEL" AND "TAKE-OUT RESTAURANT," AND TO AMEND THE EXISTING DEFINITIONS OF THE TERMS "LAUNDRY," "RESTAURANT," "HOSPITAL," AND "FINANCIAL INSTITUTION"; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER TO ADD CUSTOMER CLASSES AND BILLING UNITS TO THE EQUIVALENT RESIDENTIAL UNIT SCHEDULE USED TO CALCULATE CONSUMER CHARGES AS WELL AS MODIFYING EXISTING ERU'S; AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PROVIDE CITY WITH THE AUTHORITY TO INSPECT COMMERCIAL AND RESIDENTIAL PROPERTY FOR SEWER SERVICE BILLING PURPOSES; AMENDING SECTION 100 OF SAID TITLE AND CHAPTER TO INCLUDE A SERVICE CHARGE FEE FOR RELEASE OF SEWER SERVICE LIENS; AMENDING SECTIONS 150 AND 200 OF SAID TITLE AND CHAPTER TO INCORPORATE THE PROVISIONS OF LVMC 14.04.020; REPEALING SECTIONS 140 AND 190 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Arnie Adamsen

Summary: Expands the list of fixtures subject to sewer service charges, increases certain rate calculations for sewer usage and consolidates the sewer connection, sewer surcharge and sewer service charge calculation schedules.

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:

[Article I. Service Charges]

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:

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

(B) "Beauty shop" means an establishment in which any of the branches

1 of cosmetology is practiced.

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

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

7 (E) "Church" means a structure primarily used for activities sponsored
8 by a religious organization.

9 (F) "Clinic" means an establishment for the administration of professional
10 chiropractic, dental, medical or veterinarian care on an out-patient basis, including the individual
11 office of any such practitioner.

12 (G) "Commodity charge" means that portion of the user charge associated
13 directly with wastewater collection and treatment and which is calculated for a user by multiplying
14 the ERU rate for that user's customer class by the number of [ERU's] ERUs assigned to that
15 customer.

16 (H) "Convalescent and rest homes" means an establishment used or
17 designed to provide personal and health care supervision to convalescents, invalids, aged or infirm
18 humans.

19 (I) "Dwelling unit" means one or more rooms designed or used as living
20 quarters for one family and having facilities for the preparation of food.

21 (J) "Equivalent residential unit" [("ERU" herein)] or "ERU" means the
22 average amount of wastewater discharged by a single-family residence, which has been determined
23 to be ninety thousand gallons per year.

24 (K) "Family" means one or more human beings living together as a single
25 housekeeping unit.

26 (L) "Financial institution" means a bank, credit union [or], savings and

1 loan association[.], debt adjustment company, loan company, mortgage company, thrift company
2 or trust company.

3 (M) "Fixture" means a device which is [permanently] connected to the
4 hot or cold water supply system or both and which is connected to the wastewater collection
5 system of the City* and includes but is not limited to the following:

6 (1) Bathtub (with or without an overhead shower)[;]. Each bathtub is
7 a separate fixture;

8 (2) Bidet[;]. (standard bathroom fixture);

9 (3) [Combination sink and tray, with or without food-disposal unit;] Car
10 wash;

11 (a) Each bay of a coin-operated car wash is a fixture.

12 (b) Each water source arch of a drive or tow-through car wash
13 is a fixture. (Water source arches using recycled water are not considered fixtures);

14 (4) [Dental unit or cuspidor;] Commode (toilet or water closet);

15 (5) [Dental lavatory;] Cooking utensil with supply and drain (built-in pot
16 or cooking pan that has an adjacent water source exclusively for filling or washing the utensil,
17 which water is immediately or at some future time, dumped into a drain, directly from said
18 utensil). Each utensil is a separate fixture;

19 (6) [Drinking fountain;] Dental cuspidor (bowl hinged to dental chair
20 used by patients when removing fluids from their mouth). Each bowl is a separate fixture;

21 (7) [Dishwasher, domestic;] Dipwell (receptacle with a water source and
22 drain at businesses selling ice cream used to rinse ice cream scoops). Each receptacle is a
23 separate fixture.

24 (8) [Faucet heads, for water supply**;] Drinking fountain. Each water
25 outlet on a drinking fountain unit is a separate fixture;

26 (9) [Kitchen sink, domestic, with or without food;] Dishwasher (domestic

1 or commercial). Each dishwasher is a separate fixture;

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

5 (11) [Lavatory, barber, beauty parlor, surgeon's;] Glass fill (fountain
6 device used to fill glasses with drinking water). Each device is a separate fixture;

7 (12) [Laundry tray (one or two compartments);] Shower stall (stand-up
8 shower enclosure);

9 (13) [Shower stall, domestic;] Group shower (a shower room or enclosure
10 with multiple shower heads and one or more drains). Each shower head is a separate fixture;

11 (14) [Showers (group) per head**];] Sinks:

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

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

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

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

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

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

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

1 (h) Wash sink (a restroom fixture designed to accommodate
2 several persons washing at the same time with one or more water outlets). Each water outlet on
3 a wash sink is a separate fixture;

4 (15) [Sinks:

5 (a) Service (trap standard),

6 (b) Service (P trap),

7 (c) Pot, scullery, etc.]; Steam table with water supply and drain
8 is one fixture. A steam table equipped with a built-in sink in addition to having an independent
9 source of water and drain is deemed to have two separate fixtures;

10 (16) Urinal[;]:

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

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

13 (17) [Urinal trough (each two-foot section);] Washing machine. Each
14 machine, regardless of size, is a separate fixture;

15 (18) [Washing machine;] Water supply outlet with drain (any water source
16 that is used in conjunction with a drain that is not specifically designated in this Section; for
17 example, hose bib and wash rack). Each water outlet is a separate fixture;

18 (19) [Wash sink (circular or multiple), each set of faucets;] Whirlpool
19 therapy. Each item of therapy equipment that is provided with a water source and a drain is a
20 separate fixture;

21 (20) [Water closet, tank-operated or valve-operated.] X-ray machine with
22 water supply and drain. Each machine connected to a source of water and drain is a separate
23 fixture.

24 (N) "High strength users" means a customer class discharging on the
25 average, five-day biochemical oxygen demand strengths greater than three hundred milligrams per
26 liter or suspended solids strengths greater than three hundred fifty milligrams per liter.

1 (O) "Hospital" means an establishment [staffed and equipped to provide
2 diagnosis, care and treatment of human illness or injury and which provides twenty-four hour
3 professional nursing services under the direction of physicians.] for the diagnosis, care and
4 treatment of human illness, including care available 24 hours each day from persons licensed to
5 practice professional nursing who are under the direction of a physician, services of a medical
6 laboratory and medical, radiological, dietary and pharmaceutical services.

7 (P) ["Hotel" means a structure containing two or more rooms each of
8 which is designed or used for sleeping quarters for one family and each of which contains one or
9 more fixtures but does not contain facilities for the preparation of food.

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

13 (O) "Laundromat" means a commercial establishment equipped with
14 washing machines and dryers designed for customer operation.

15 (R) "Laundry" means: [an establishment where clothing is washed for
16 remuneration.]

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

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

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

26 (T) "Mobile home residential estate" and/or "mobile home park" means

1 a place which is used or intended for use to park two or more trailers for occupancy as living
2 quarters for human beings for thirty days or more.

3 (U) "Motel/hotel" means a structure containing two or more rooms
4 wherein:

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

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

8 (V) "Multiple-family residence" means a structure or trailer containing two
9 or more dwelling units under one ownership.

10 [(V)](W) "Office" means an establishment in which the occupation or
11 employment which is conducted therein involves predominantly mental or intellectual, rather than
12 physical or manual, labor and skill and in which there is no display of stock or wares, no
13 commodity sold and no commercial use conducted other than the services which are offered.

14 [(W)](X) "Private club" means a nonprofit organization of members for
15 the promotion of some common object which is operated solely for the benefit and use of its
16 members and their guests and is controlled exclusively by its members.

17 [(X)](Y) "Recreational vehicle park" means a place which is used or
18 intended for use to park two or more trailers for occupancy as living quarters for human beings
19 for less than thirty days.

20 [(Y) "Restaurant" means a place which is not a part of a hotel where the
21 primary business is serving food to the public.]

22 (Z) "Resort hotel" means a building or a group of buildings which are
23 designed and integrated to clearly demonstrate the appearance of one facility wherein:

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

26 (2) No provision is made for cooking food in any guestroom.

1 except as permitted by the provisions of LVMC Title 6, Chapter 40;

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

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

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

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

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

14 [(Z)](AA) "Restaurant" means a place which is not part of a resort hotel
15 or a motel/hotel where food is prepared and served primarily for consumption on the premises.

16 [(AA)](BB) "School" means an establishment, whether public or private,
17 in which is offered a full-time academic, vocational or technical course of study or other
18 educational services, whether elementary, secondary, or post-secondary[, and includes nursery
19 schools, day care centers and other licensed child care facilities].

20 [(BB)](CC) "Service establishment" means an establishment the principal
21 activity of which is to furnish service to the consuming public, excluding establishments which
22 are subject to Chapter 14.16 of this Code, manufacturing, processing and dry-cleaning plants,
23 laundries, and maintenance, renovating and repair shops.

24 [(CC)](DD) "Single-family residence" means a structure or trailer
25 containing only one dwelling unit and each individually owned unit in a structure or trailer
26 containing two or more dwelling units.

1 [(DD)](EE) "Take-out restaurant" means a place which is not part of a
2 resort hotel or a motel/hotel where food is prepared exclusively for consumption off premises.

3 (FF) "Theater" means a structure which is especially adapted to dramatic,
4 motion picture, operatic or spectacular presentations, excluding hotels, nightclubs and restaurants
5 which furnish entertainment in connection with serving food or other refreshments.

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

10 *The following devices and appliances are expressly excluded from the definition of "fixture":

11 Air-conditioner
12 Boiler
13 Coffee urn
14 Dental unit vacuum extraction
15 Emergency equipment
16 Garbage disposal unit
17 Ice machine
18 Ice trays
19 Refrigerator
20 Soft drink machine
21 [Steam table]
22 Water softener
23 [X-ray machine]

24 [**Faucet heads or shower heads which flow into a single drain.]

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

27 Article I. Service Charges

28 **14.04.020:** The following equivalent residential unit (ERU) schedule shall be used in
29 calculating the user charges*:

30 Customer Class	Billing Unit	[ERU's]ERUs
31 Single-family residence	Each dwelling unit	1.00

1	Mobile home residential estates**	Each trailer lot	1.00
2			
3	Mobile home parks	Each trailer lot	1.00
4	Multiple-family residence	Each dwelling unit	0.70
5	<u>Plus: fixtures outside of dwelling units</u>	<u>Each fixture</u>	<u>0.45</u>
6	Other residence	Each dwelling unit	1.00
7	Recreational vehicle parks	Each [trailer] vehicle space	0.70
8	<u>Plus: fixtures</u>	<u>Each fixture</u>	<u>0.45</u>
9	<u>Resort Hotel</u>	Each room	0.60
10	<u>Plus: fixtures outside of rooms (including fixtures in casinos and restaurants)</u>	Each fixture	1.50
11	Casino	Each fixture	1.50
12	<u>Motel/Hotel</u>	<u>Each room</u>	<u>0.60</u>
13	<u>Plus: fixtures outside of rooms</u>	<u>Each fixture</u>	<u>0.75</u>
14	Business operations not separately rated/retail sales	Each fixture	0.65
15	<u>Business operations not separately rated/wholesale or service only</u>	<u>Each fixture</u>	<u>0.45</u>
16			
17	Hospital	Each bed	1.20
18	Convalescent, [and] rest homes, and residential	Each bed	0.75
19	<u>group care facility homes</u>		
20	School	Each student	0.10
21	<u>Child Care Facility</u>	<u>Each student</u>	<u>0.10</u>
22	<u>Beauty shops</u>	<u>Each fixture</u>	<u>0.50</u>
23	<u>Restaurant (take out only)</u>	<u>Each fixture</u>	<u>0.45</u>
24	<u>Restaurant (with seating under 45)</u>	<u>Each fixture</u>	<u>0.65</u>
25			
26	<u>Restaurant (with seating 45 and over)</u>	<u>Each fixture</u>	<u>1.33</u>

1	<u>Barbershops</u>	<u>Each fixture</u>	<u>0.45</u>
2	<u>Clinics</u>	<u>Each fixture</u>	<u>0.45</u>
3	<u>Laundromat</u>	<u>Each fixture</u>	<u>0.45</u>
4	[Church	Each fixture	0.50
5	Restaurant	Each fixture	1.33]
6	Offices, except as otherwise listed	Each fixture	0.45
7	Service establishments, except as otherwise listed	Each fixture	0.45
9	Financial institutions	Each fixture	0.45
10	Theaters	Each fixture	0.45
11	Maintenance, renovation and repair shops	Each fixture	0.45
12	Private clubs	Each fixture	0.45
13	<u>Church</u>	<u>Each fixture</u>	<u>0.25</u>
14	<u>Vacant Establishments</u>	<u>Each fixture</u>	<u>0.25</u>
15	[Barbershops	Each fixture	0.25
16	Beauty shops	Each fixture	0.25
17	Clinics	Each fixture	0.25]
18	Large commercial and other	Annual water use ÷ 90,000 gallons = No. [ERU's] <u>ERUs</u>	
20	[Commercial laundries]	0.85 x annual water use ÷ 90,000 gallons = No. [ERU's] <u>ERUs</u>	
21	<u>Laundries</u>		
22	Swimming pools - public and private - each pool by capacity		
23	30,000 gallons and less		0.10
24	30,001 to 99,999 gallons		0.25
	100,000 to 149,999 gallons		0.50
25	150,000 to 199,999 gallons		0.65
	200,000 to 249,999 gallons		0.85
26	250,000 to 299,999 gallons		1.00

300,000 gallons or more

1.30

*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] ERUs discharged by a particular user, other than a residential user, causes inequity, the discharger, other than a residential user, 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, in the case of a large commercial user as defined in Section 14.04.010, for the purpose of determining its [ERU's] ERUs, provided that the discharge is measured by an appropriate metering device approved by the City. If this method is employed, the [ERU's] ERUs 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.

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

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

14.04.080: (A) All bills for services rendered by or through the municipal sewage disposal system shall be rendered annually in advance on the first day of the month on which the annual cycle billing established for such premises shall commence, shall be payable annually in advance [or, if the customer elects to pay the amount of any annual bill in semi-annual or quarterly installments, upon notification to the Director of Business Activity within thirty days after the due date specified in such bill of that election and the payment of the first semi-annual or quarterly installment plus a charge in the amount of three dollars per deferred installment for the privilege of doing so, semi-annually or quarterly in advance and shall constitute a lien against the premises.] unless the customer elects to pay the annual bill in semi-annual or quarterly installments. Customers electing to make installment payments must pay an installment collection fee of three dollars with each installment payment. The first semi-annual or quarterly installment payment must be paid in advance, with any remaining amount due constituting a lien against the property. Payment of all bills rendered shall be made to the Department of [Business Activity,] Finance and Business Services, and no license shall be granted for the conducting of any business requiring a license in any multiple dwelling or

1 place of business unless the remaining portion of the current year's annual billing,
2 or, if the customer has elected to pay in semi-annual [installments] or quarterly
3 installments, the remaining portion of the current semi-annual or quarterly
4 installment thereof, as the case may be, shall be paid in advance.

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

11 SECTION 4: Title 14, Chapter 4, Section 100, of the Municipal Code of
12 the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **14.04.100:** Until paid, the sewer service bill established by this Chapter, including any penalty
14 thereon, shall constitute a perpetual lien on and against the real property and
15 premises which received the sewer service, from the date the sewer service bill and
16 penalties become due, as well as constituting a debt owing to the City by the sewer
17 service customer and by the record owner of such property, if such owner is
18 someone other than the sewer service customer. The [city] City may bring a civil
19 action in any court of competent jurisdiction to recover the amount due and
20 penalties. Additionally, the City may enforce said lien by recording a notice of
21 lien in the office of the County [Records] Recorder after the amount due becomes
22 delinquent and foreclosing the same against such property in the same manner as
23 provided by the laws of the State for the foreclosure of mechanic's liens. A
24 service charge of \$15.00 will be assessed the sewer service customer for a release
25 of the lien filed with the office of the County Recorder in addition to any and all
26 recording costs incurred by the City in recording the release of lien.

SECTION 5: Title 14, Chapter 4, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.04.150: The number of equivalent residential units to be charged to the individual customers of the City's sewage disposal system shall be determined in accordance with the [following schedule*:] schedule set forth at LVMC 14.04.020.

[Customer Class	Billing Unit	ERU's
Single-family residence	Each dwelling unit	1.00
Mobile home residential estates**	Each trailer lot	1.00
Mobile home parks	Each trailer lot	1.00
Multiple-family residence	Each dwelling unit	0.70
Other residence	Each dwelling unit	1.00
Recreational vehicle parks	Each trailer space	0.70
Hotel	Each room	0.60
Plus: fixtures outside of rooms (including fixtures in casinos and restaurants	Each fixture	1.50
Casino	Each fixture	1.50
Business operations not separately rated	Each fixture	0.65
Hospital	Each bed	1.20
Convalescent and rest homes	Each bed	0.75
School	Each student	0.10
Church	Each fixture	0.50
Restaurant	Each fixture	1.33
Offices, except as otherwise listed	Each fixture	0.45
Service establishments, except as otherwise listed	Each fixture	0.45

1	Financial institutions	Each fixture	0.45
2	Theaters	Each fixture	0.45
3	Maintenance, renovation and repair shops	Each fixture	0.45
4	Private clubs	Each fixture	0.45
5	Barbershops	Each fixture	0.25
6	Beauty shops	Each fixture	0.25
7	Clinics	Each fixture	0.25
8	Large commercial and other	Annual water use ÷ 90,000 gallons = No. ERU's	
9			
10	Commercial laundries	0.85 x annual water use ÷ 90,000 gallons = No. ERU's	
11			
12	Swimming pools - public and private - each pool by capacity		
13	30,000 gallons and less		0.10
14	30,001 to 99,999 gallons		0.25
15	100,000 to 149,999 gallons		0.50
16	150,000 to 199,999		0.65
17	200,000 to 249,999		0.85
18	250,000 to 299,999		1.00
19	300,000 gallons or more		1.30

20 *In instances in which the application of the billing units provided for in this schedule, or the
 21 application of the term "water use," to determine the number of ERU's discharged by a particular
 22 user, other than a residential user, causes inequity, the discharger, other than a residential
 23 discharger, may petition to substitute its actual annual discharge to the sewer system in lieu of the
 24 billing units provided for in this schedule or in lieu of the annual water use quantities, in the case
 25 of a large commercial user as defined in Section 14.04.010, for the purpose of determining its
 26 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.

**Trailers which contain more than one dwelling unit shall be classified as multiple-residential.]

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

14.04.200: The number of [ERU's] equivalent residential units from which sewer connection
 fees will be calculated shall be determined in accordance with the [tabulation set

forth below:] schedule set forth at LVMC 14.04.020.

[Customer Class	Billing Unit	ERU's
Single-family residence	Each dwelling unit	1.00
Mobile home residential estates*	Each trailer lot	1.00
Mobile home parks	Each trailer lot	1.00
Multiple-family residence	Each dwelling unit	0.70
Other residence	Each dwelling unit	1.00
Recreational vehicle parks	Each trailer space	0.70
Hotel	Each room	0.60
Plus: fixtures outside of rooms (including fixtures in casinos and restaurants	Each fixture	1.50
Casino	Each fixture	1.50
Business operations not separately rated	Each fixture	0.65
Hospital	Each bed	1.20
Convalescent and rest homes	Each bed	0.75
School	Each student	0.10
Church	Each fixture	0.50
Restaurant	Each fixture	1.33
Offices, except as otherwise listed	Each fixture	0.45
Service establishments, except as otherwise listed	Each fixture	0.45
Financial institutions	Each fixture	0.45
Theaters	Each fixture	0.45
Maintenance, renovation and repair shops	Each fixture	0.45

1	Private clubs	Each fixture	0.45
2	Barbershops	Each fixture	0.25
3	Beauty shops	Each fixture	0.25
4	Clinics	Each fixture	0.25
5	Large commercial** and other	Annual water use ÷ 90,000 gallons = No. ERU's	
6	Commercial laundries**	0.85 x annual water use ÷ 90,000 gallons = No. ERU's	
7			
8	Swimming pools - public and private -		
9	each pool by capacity		
10	30,000 gallons and less		0.10
11	30,001 to 99,999 gallons		0.25
12	100,000 to 149,999 gallons		0.50
13	150,000 to 199,999 gallons		0.65
14	200,000 to 249,999 gallons		0.85
15	250,000 to 299,999 gallons		1.00
16	300,000 gallons or more		1.30

*Trailers which contain more than one dwelling unit shall be classified as multiple-residential.
 **Annual water use will be estimated by the Director of Public Services. After the first full year of discharging, the number of ERU's and the corresponding sewer connection fee may be adjusted at the discretion of the Director of Public Services.]

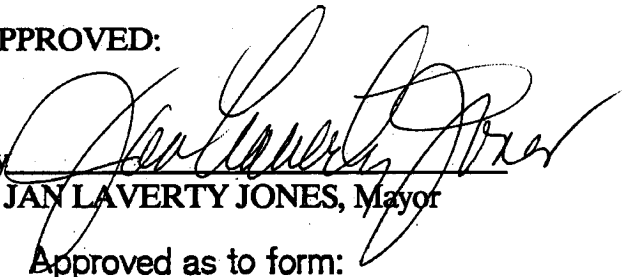
SECTION 7: Title 14, Chapter 4, Sections 140 and 190, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed.

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

1 SECTION 9: All ordinances or parts of ordinances, section, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas,
3 Nevada, 1983 Edition, in conflict herewith are hereby repealed.

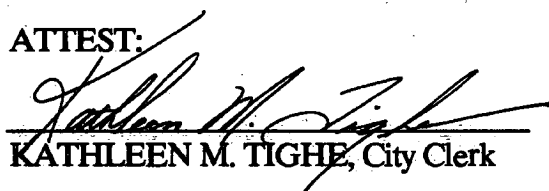
4 PASSED, ADOPTED and APPROVED this 20th day of September,
5 1995.

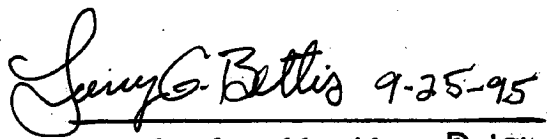
6 APPROVED:

7
8 By 
JAN LAVERTY JONES, Mayor

9 Approved as to form:

10 ATTEST:

11 
KATHLEEN M. TIGHE, City Clerk

12  9-25-95

13 The above and foregoing ordinance was first proposed and read by title to ~~Date~~ City Council on
14 the 16th day of August, 1995, and referred to the following committee composed of
15 Councilmen McDonald and Adamsen for recommendation; thereafter the said committee
16 reported favorably on said ordinance on the 20th day of September, 1995, which was a regular
17 meeting of said Council; that at said regular meeting, the proposed ordinance was read by title
18 to the City Council as amended and adopted by the following vote:

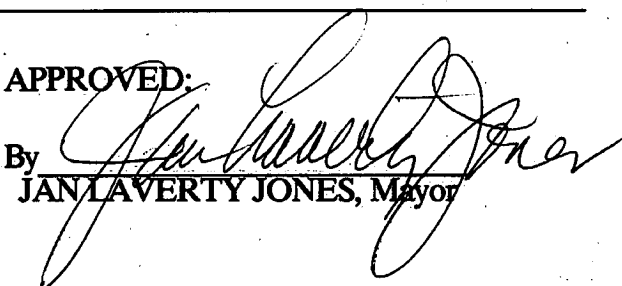
19 VOTING "AYE": Councilmen Adamsen, Callister, McDonald and Reese

20 VOTING "NAY": NONE

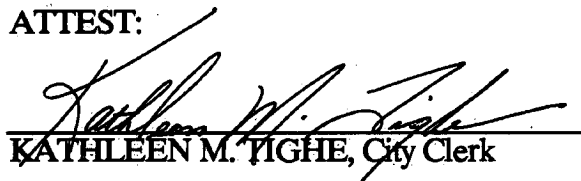
21 ABSENT: NONE

22 DID NOT VOTE: Mayor Jones

23 APPROVED:

24 By 
JAN LAVERTY JONES, Mayor

25 ATTEST:

26 
KATHLEEN M. TIGHE, City Clerk

Bill No. 95-63

SEE FIRST AMENDMENT

Ordinance No. _____

AN ORDINANCE RELATING TO SEWER USAGE CHARGES; AMENDING TITLE 14, CHAPTER 4, SECTION 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO EXPAND THE DEFINITION OF THE TERM "FIXTURE," TO ADD THE DEFINITION OF THE TERMS "MOTEL/HOTEL," "RESORT HOTEL" AND "TAKE-OUT RESTAURANT," AND TO AMEND THE EXISTING DEFINITIONS OF THE TERMS "LAUNDRY," "RESTAURANT," "HOSPITAL," AND "FINANCIAL INSTITUTION"; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER TO ADD CUSTOMER CLASSES AND BILLING UNITS TO THE EQUIVALENT RESIDENTIAL UNIT SCHEDULE USED TO CALCULATE CONSUMER CHARGES AS WELL AS MODIFYING EXISTING ERU'S; AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PROVIDE CITY WITH THE AUTHORITY TO INSPECT COMMERCIAL AND RESIDENTIAL PROPERTY FOR SEWER SERVICE BILLING PURPOSES; AMENDING SECTION 100 OF SAID TITLE AND CHAPTER TO INCLUDE A SERVICE CHARGE FEE FOR RELEASE OF SEWER SERVICE LIENS; AMENDING SECTIONS 150 AND 200 OF SAID TITLE AND CHAPTER TO INCORPORATE THE PROVISIONS OF LVMC 14.04.020; REPEALING SECTIONS 140 AND 190 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Arnie Adamsen

Summary: Expands the list of fixtures subject to sewer service charges, increases certain rate calculations for sewer usage and consolidates the sewer connection, sewer surcharge and sewer service charge calculation schedules.

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:

[Article I. Service Charges]

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:

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

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

1 (C) "Billing charge" means that portion of the user charge associated
2 directly with the cost of preparing a user's bill and which is the same for each user[,]; i.e., sewer
3 user account.

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

6 (E) "Church" means a structure primarily used for activities sponsored
7 by a religious organization.

8 (F) "Clinic" means an establishment for the administration of professional
9 chiropractic, dental, medical or veterinarian care on an out-patient basis, including the individual
10 office of any such practitioner.

11 (G) "Commodity charge" means that portion of the user charge associated
12 directly with wastewater collection and treatment and which is calculated for a user by multiplying
13 the ERU rate for that user's customer class by the number of [ERU's] ERUs assigned to that
14 customer.

15 (H) "Convalescent and rest homes" means an establishment used or
16 designed to provide personal and health care supervision to convalescents, invalids, aged or infirm
17 humans.

18 (I) "Dwelling unit" means one or more rooms designed or used as living
19 quarters for one family and having facilities for the preparation of food.

20 (J) "Equivalent residential unit" [("ERU" herein)] or "ERU" means the
21 average amount of wastewater discharged by a single-family residence, which has been determined
22 to be ninety thousand gallons per year.

23 (K) "Family" means one or more human beings living together as a single
24 housekeeping unit.

25 (L) "Financial institution" means a bank, credit union [or savings and
26 loan association.], mortgage company, thrift company or trust company.

1 (M) "Fixture" means a device which is [permanently] connected to the
2 hot or cold water supply system or both and which is connected to the wastewater collection
3 system of the City* and includes but is not limited to the following:

4 (1) Bathtub (with or without an overhead shower)[;]. Each bathtub is
5 a separate fixture;

6 (2) Bidet[;]. (standard bathroom fixture);

7 (3) [Combination sink and tray, with or without food-disposal unit;] Car
8 wash:

9 (a) Each bay of a coin-operated car wash is a fixture.

10 (b) Each water source arch of a drive or tow-through car wash
11 is a fixture. (Water source arches using recycled water are not considered fixtures);

12 (4) [Dental unit or cuspidor;] Commode (toilet or water closet);

13 (5) [Dental lavatory;] Cooking utensil with supply and drain (built-in pot
14 or cooking pan that has an adjacent water source exclusively for filling or washing the utensil,
15 which water is immediately or at some future time, dumped into a drain, directly from said
16 utensil). Each utensil is a separate fixture;

17 (6) [Drinking fountain;] Dental cuspidor (bowl hinged to dental chair
18 used by patients when removing fluids from their mouth). Each bowl is a separate fixture;

19 (7) [Dishwasher, domestic;] Dipwell (receptacle with a water source and
20 drain at businesses selling ice cream used to rinse ice cream scoops). Each receptacle is a
21 separate fixture.

22 (8) [Faucet heads, for water supply**;] Drinking fountain. Each water
23 outlet on a drinking fountain unit is a separate fixture;

24 (9) [Kitchen sink, domestic, with or without food;] Dishwasher (domestic
25 or commercial). Each dishwasher is a separate fixture;

26 (10) [Lavatory;] Fruit and vegetable sprayer (nozzle spray equipment

1 attached to a length of hose for manual use or an automated nozzle spray system). Each manually
2 operated nozzle and each automated nozzle spray system is a separate fixture;

3 (11) [Lavatory, barber, beauty parlor, surgeon's;] Glass fill (fountain
4 device used to fill glasses with drinking water). Each device is a separate fixture;

5 (12) [Laundry tray (one or two compartments);] Shower stall (stand-up
6 shower enclosure);

7 (13) [Shower stall, domestic;] Group shower (a shower room or enclosure
8 with multiple shower heads and one or more drains). Each shower head is a separate fixture;

9 (14) [Showers (group) per head**;] Sinks:

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

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

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

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

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

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

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

25 (h) Wash sink (a restroom fixture designed to accommodate
26 several persons washing at the same time with one or more water outlets). Each water outlet on

1 a wash sink is a separate fixture;

2 (15) [Sinks:

3 (a) Service (trap standard),

4 (b) Service (P trap),

5 (c) Pot, scullery, etc.]; Steam table with water supply and drain
6 is one fixture. A steam table equipped with a built-in sink in addition to having an independent
7 source of water and drain is deemed to have two separate fixtures;

8 (16) Urinal[;];

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

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

11 (17) [Urinal trough (each two-foot section);] Washing machine. Each
12 machine, regardless of size, is a separate fixture;

13 (18) [Washing machine;] Water supply outlet with drain (any water source
14 that is used in conjunction with a drain that is not specifically designated in this Section; for
15 example, hose bib and wash rack). Each water outlet is a separate fixture;

16 (19) [Wash sink (circular or multiple), each set of faucets;] Whirlpool
17 therapy. Each item of therapy equipment that is provided with a water source and a drain is a
18 separate fixture;

19 (20) [Water closet, tank-operated or valve-operated.] X-ray machine with
20 water supply and drain. Each machine connected to a source of water and drain is a separate
21 fixture.

22 (N) "High strength users" means a customer class discharging on the
23 average, five-day biochemical oxygen demand strengths greater than three hundred milligrams per
24 liter or suspended solids strengths greater than three hundred fifty milligrams per liter.

25 (O) "Hospital" means an establishment [staffed and equipped to provide
26 diagnosis, care and treatment of human illness or injury and which provides twenty-four hour

1 professional nursing services under the direction of physicians.] for the diagnosis, care and
2 treatment of human illness, including care available 24 hours each day from persons licensed to
3 practice professional nursing who are under the direction of a physician, services of a medical
4 laboratory and medical, radiological, dietary and pharmaceutical services.

5 (P) ["Hotel" means a structure containing two or more rooms each of
6 which is designed or used for sleeping quarters for one family and each of which contains one or
7 more fixtures but does not contain facilities for the preparation of food.

8 (Q)] "Large commercial" means an establishment of single ownership or
9 operation which uses more than five million gallons of water per year and does not otherwise fall
10 under any of the other user classifications.

11 (Q) "Laundromat" means a commercial establishment equipped with
12 washing machines and dryers designed for customer operation.

13 (R) "Laundry" means: [an establishment where clothing is washed for
14 remuneration.]

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

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

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

24 (T) "Mobile home residential estate" and/or "mobile home park" means
25 a place which is used or intended for use to park two or more trailers for occupancy as living
26 quarters for human beings for thirty days or more.

1 (U) "Motel/hotel" means a structure containing two or more rooms
2 wherein:

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

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

6 (V) "Multiple-family residence" means a structure or trailer containing two
7 or more dwelling units under one ownership.

8 [(V)](W) "Office" means an establishment in which the occupation or
9 employment which is conducted therein involves predominantly mental or intellectual, rather than
10 physical or manual, labor and skill and in which there is no display of stock or wares, no
11 commodity sold and no commercial use conducted other than the services which are offered.

12 [(W)](X) "Private club" means a nonprofit organization of members for
13 the promotion of some common object which is operated solely for the benefit and use of its
14 members and their guests and is controlled exclusively by its members.

15 [(X)](Y) "Recreational vehicle park" means a place which is used or
16 intended for use to park two or more trailers for occupancy as living quarters for human beings
17 for less than thirty days.

18 [(Y) "Restaurant" means a place which is not a part of a hotel where the
19 primary business is serving food to the public.]

20 (Z) "Resort hotel" means a building or a group of buildings which are
21 designed and integrated to clearly demonstrate the appearance of one facility wherein:

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

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

26 (3) There is a gaming area within the building or group of

1 buildings;

2 (4) There are more than two hundred guestrooms available for
3 sleeping accommodations;

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

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

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

12 [(Z)](AA) "Restaurant" means a place which is not part of a resort hotel
13 or a motel/hotel where food is prepared and served primarily for consumption on the premises.

14 [(AA)](BB) "School" means an establishment, whether public or private,
15 in which is offered a full-time academic, vocational or technical course of study or other
16 educational services, whether elementary, secondary, or post-secondary[, and includes nursery
17 schools, day care centers and other licensed child care facilities].

18 [(BB)](CC) "Service establishment" means an establishment the principal
19 activity of which is to furnish service to the consuming public, excluding establishments which
20 are subject to Chapter 14.16 of this Code, manufacturing, processing and dry-cleaning plants,
21 laundries, and maintenance, renovating and repair shops.

22 [(CC)](DD) "Single-family residence" means a structure or trailer
23 containing only one dwelling unit and each individually owned unit in a structure or trailer
24 containing two or more dwelling units.

25 [(DD)](EE) "Take-out restaurant" means a place which is not part of a
26 resort hotel or a motel/hotel where food is prepared exclusively for consumption off premises.

(FF) "Theater" means a structure which is especially adapted to dramatic, motion picture, operatic or spectacular presentations, excluding hotels, nightclubs and restaurants which furnish entertainment in connection with serving food or other refreshments.

(GG) "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.

*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
[Steam table]
Water softener
[X-ray machine]

[**Faucet heads or shower heads which flow into a single drain.]

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:

Article I. Service Charges

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

Customer Class	Billing Unit	[ERU's]ERUs
Single-family residence	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 residence	Each dwelling unit	0.70
2	<u>Plus: fixtures outside of dwelling units</u>	<u>Each fixture</u>	<u>0.45</u>
3	Other residence	Each dwelling unit	1.00
4	Recreational vehicle parks	Each [trailer] <u>vehicle space</u>	0.70
5	<u>Plus: fixtures</u>	<u>Each fixture</u>	<u>0.45</u>
6	<u>Resort Hotel</u>	Each room	0.60
7	<u>Plus: fixtures outside of rooms (including fixtures in casinos and restaurants)</u>	Each fixture	1.50
8	Casino	Each fixture	1.50
9	<u>Motel/Hotel</u>	<u>Each room</u>	<u>0.60</u>
10	<u>Plus: fixtures outside of rooms</u>	<u>Each fixture</u>	<u>0.75</u>
11	Business operations not separately rated/ <u>retail sales</u>	Each fixture	0.65
12	<u>Business operations not separately rated/wholesale or service only</u>	<u>Each fixture</u>	<u>0.45</u>
13	Hospital	Each bed	1.20
14	Convalescent, [and] rest homes, <u>and residential group care facility homes</u>	Each bed	0.75
15	School	Each student	0.10
16	<u>Child Care Facility</u>	<u>Each student</u>	<u>0.10</u>
17	<u>Beauty shops</u>	<u>Each fixture</u>	<u>0.50</u>
18	<u>Restaurant (take out only)</u>	<u>Each fixture</u>	<u>0.45</u>
19	<u>Restaurant (with seating under 45)</u>	<u>Each fixture</u>	<u>0.65</u>
20	<u>Restaurant (with seating 45 and over)</u>	<u>Each fixture</u>	<u>1.33</u>
21	<u>Barbershops</u>	<u>Each fixture</u>	<u>0.45</u>
22	<u>Clinics</u>	<u>Each fixture</u>	<u>0.45</u>
23			
24			
25			
26			

1	<u>Laundromat</u>	<u>Each fixture</u>	<u>0.45</u>
2	[Church	Each fixture	0.50
3	Restaurant	Each fixture	1.33]
4	Offices, except as otherwise listed	Each fixture	0.45
5	Service establishments, except as otherwise listed	Each fixture	0.45
6	Financial institutions	Each fixture	0.45
7	Theaters	Each fixture	0.45
8	Maintenance, renovation and repair shops	Each fixture	0.45
9	Private clubs	Each fixture	0.45
10	<u>Church</u>	<u>Each fixture</u>	<u>0.25</u>
11	<u>Vacant Establishments</u>	<u>Each fixture</u>	<u>0.25</u>
12	[Barbershops	Each fixture	0.25
13	Beauty shops	Each fixture	0.25
14	Clinics	Each fixture	0.25]
15	Large commercial and other	Annual water use ÷ 90,000 gallons = No. [ERU's] <u>ERUs</u>	
16	[Commercial laundries]	0.85 x annual water use ÷ 90,000 gallons = No. [ERU's] <u>ERUs</u>	
17	<u>Laundries</u>		
18	Swimming pools - public and private - each pool by capacity		
19	30,000 gallons and less		0.10
20	30,001 to 99,999 gallons		0.25
21	100,000 to 149,999 gallons		0.50
22	150,000 to 199,999 gallons		0.65
23	200,000 to 249,999 gallons		0.85
24	250,000 to 299,999 gallons		1.00
25	300,000 gallons or more		1.30

26 *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] ERUs discharged by a

1 particular user, other than a residential user, causes inequity, the discharger, other than a
2 residential user, may petition to substitute its actual annual discharge to the sewer system in lieu
3 of the billing units provided for in this schedule or in lieu of the annual water use quantities, in
4 the case of a large commercial user as defined in Section 14.04.010, for the purpose of
5 determining its [ERU's] ERUs, provided that the discharge is measured by an appropriate
6 metering device approved by the City. If this method is employed, the [ERU's] ERUs shall be
7 computed by dividing the actual discharge by 90,000 gallons. The cost of obtaining and installing
8 the metering device is to be borne by the discharger.

9 ****Trailers which contain more than one dwelling unit shall be classified as multiple-residential.**

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

12 **14.04.080: (A)** All bills for services rendered by or through the municipal sewage disposal
13 system shall be rendered annually in advance on the first day of the month on
14 which the annual cycle billing established for such premises shall commence, shall
15 be payable annually in advance or, if the customer elects to pay the amount of any
16 annual bill in semi-annual or quarterly installments, [upon notification to the
17 Director of Business Activity within thirty days after the due date specified in such
18 bill of that election and the payment of the first semi-annual or quarterly
19 installment] plus a charge in the amount of three dollars per deferred installment
20 for the privilege of doing so, semi-annually or quarterly in advance and shall
21 constitute a lien against the premises. Payment of all bills rendered shall be made
22 to the Department of [Business Activity,] Finance and Business Services, and no
23 license shall be granted for the conducting of any business requiring a license in
24 any multiple dwelling or place of business unless the remaining portion of the
25 current year's annual billing, or, if the customer has elected to pay in semi-annual
26 installments or quarterly, the remaining portion of the current semi-annual or
quarterly installment thereof, as the case may be, shall be paid in advance.

27 **(B)** The Department shall have all powers which may be necessary or
28 appropriate for a complete and effective exercise of its jurisdiction, including, but not limited to,
29 the power to enter and inspect any commercial or multiple residential premises to make

determinations concerning sewer service billing. An inspection of commercial premises must be made during regular business hours. A prior appointment is required in order to perform an inspection at a residential premise, if occupied.

SECTION 4: Title 14, Chapter 4, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.04.100: Until paid, the sewer service bill established by this Chapter, including any penalty thereon, shall constitute a perpetual lien on and against the real property and premises which received the sewer service, from the date the sewer service bill and penalties become due, as well as constituting a debt owing to the City by the sewer service customer and by the record owner of such property, if such owner is someone other than the sewer service customer. The [city] City may bring a civil action in any court of competent jurisdiction to recover the amount due and penalties. Additionally, the City may enforce said lien by recording a notice of lien in the office of the County [Records] Recorder after the amount due becomes delinquent and foreclosing the same against such property in the same manner as provided by the laws of the State for the foreclosure of mechanic's liens. A service charge of \$15.00 will be assessed the sewer service customer for a release of the lien filed with the office of the County Recorder in addition to any and all recording costs incurred by the City in recording the release of lien.

SECTION 5: Title 14, Chapter 4, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.04.150: The number of equivalent residential units to be charged to the individual customers of the City's sewage disposal system shall be determined in accordance with the [following schedule*:] schedule set forth at LVMC 14.04.020.

[Customer Class	Billing Unit	ERU's
Single-family residence	Each dwelling unit	1.00

1	Mobile home residential estates**	Each trailer lot	1.00
2			
3	Mobile home parks	Each trailer lot	1.00
4	Multiple-family residence	Each dwelling unit	0.70
5	Other residence	Each dwelling unit	1.00
6	Recreational vehicle parks	Each trailer space	0.70
7	Hotel	Each room	0.60
8	Plus: fixtures outside of rooms (including fixtures in casinos and restaurants)	Each fixture	1.50
9			
10	Casino	Each fixture	1.50
11	Business operations not separately rated	Each fixture	0.65
12	Hospital	Each bed	1.20
13	Convalescent and rest homes	Each bed	0.75
14			
15	School	Each student	0.10
16	Church	Each fixture	0.50
17	Restaurant	Each fixture	1.33
18	Offices, except as otherwise listed	Each fixture	0.45
19	Service establishments, except as otherwise listed	Each fixture	0.45
20	Financial institutions	Each fixture	0.45
21	Theaters	Each fixture	0.45
22	Maintenance, renovation and repair shops	Each fixture	0.45
23			
24	Private clubs	Each fixture	0.45
25	Barbershops	Each fixture	0.25
26	Beauty shops	Each fixture	0.25

1	Clinics	Each fixture	0.25
2	Large commercial and other	Annual water use ÷ 90,000 gallons = No. ERU's	
3	Commercial laundries	0.85 x annual water use ÷ 90,000 gallons = No. ERU's	
4			
5	Swimming pools - public and private -		
6	each pool by capacity		
7	30,000 gallons and less		0.10
8	30,001 to 99,999 gallons		0.25
9	100,000 to 149,999 gallons		0.50
10	150,000 to 199,999		0.65
11	200,000 to 249,999		0.85
12	250,000 to 299,999		1.00
13	300,000 gallons or more		1.30

*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, in the case of a large commercial user as defined in Section 14.04.010, 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.

**Trailers which contain more than one dwelling unit shall be classified as multiple-residential.]

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

14.04.200: The number of [ERU's] equivalent residential units from which sewer connection fees will be calculated shall be determined in accordance with the [tabulation set forth below:] schedule set forth at LVMC 14.04.020.

[Customer Class	Billing Unit	ERU's
Single-family residence	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 residence	Each dwelling unit	0.70
2	Other residence	Each dwelling unit	1.00
3	Recreational vehicle parks	Each trailer space	0.70
4	Hotel	Each room	0.60
5	Plus: fixtures outside of rooms (including fixtures in casinos and restaurants)	Each fixture	1.50
6	Casino	Each fixture	1.50
7	Business operations not separately rated	Each fixture	0.65
8	Hospital	Each bed	1.20
9	Convalescent and rest homes	Each bed	0.75
10	School	Each student	0.10
11	Church	Each fixture	0.50
12	Restaurant	Each fixture	1.33
13	Offices, except as otherwise listed	Each fixture	0.45
14	Service establishments, except as otherwise listed	Each fixture	0.45
15	Financial institutions	Each fixture	0.45
16	Theaters	Each fixture	0.45
17	Maintenance, renovation and repair shops	Each fixture	0.45
18	Private clubs	Each fixture	0.45
19	Barbershops	Each fixture	0.25
20	Beauty shops	Each fixture	0.25
21	Clinics	Each fixture	0.25
22	Large commercial** and other	Annual water use ÷ 90,000 gallons = No. ERU's	
23			
24			
25			
26			

1 Commercial laundries** $0.85 \times \text{annual water use} \div$
2 $90,000 \text{ gallons} = \text{No.}$
ERU's

3 Swimming pools - public and private -
each pool by capacity
4 30,000 gallons and less 0.10
30,001 to 99,999 gallons 0.25
5 100,000 to 149,999 gallons 0.50
150,000 to 199,999 gallons 0.65
6 200,000 to 249,999 gallons 0.85
250,000 to 299,999 gallons 1.00
7 300,000 gallons or more 1.30

8 *Trailers which contain more than one dwelling unit shall be classified as multiple-residential.
9 **Annual water use will be estimated by the Director of Public Services. After the first full year
of discharging, the number of ERU's and the corresponding sewer connection fee may be adjusted
at the discretion of the Director of Public Services.]

10

11 SECTION 7: Title 14, Chapter 4, Sections 140 and 190, of the Municipal
12 Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed.

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

21 SECTION 9: All ordinances or parts of ordinances, sections, subsections,

22 ...

23 ...

24 ...

25 ...

26 ...

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

3 PASSED, ADOPTED AND APPROVED this ____ day of _____,
4 1995.

5 APPROVED:

6
7 By _____
JAN LAVERTY JONES, Mayor

8 ATTEST:

9 _____
10 KATHLEEN M. TIGHE, City Clerk
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1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the ____ day of _____, 1995, and referred to the following committee composed of
3 _____ and _____ for
4 recommendation; thereafter the said committee reported favorably on said ordinance on the
5 ____ day of _____, 1995, which was a _____ meeting of said
6 Council; that at said _____ meeting, the proposed ordinance was read by
7 title to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
JAN LAVERTY JONES, Mayor

14 ATTEST:

15 KATHLEEN M. TIGHE, City Clerk
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AFFIDAVIT OF PUBLICATION

SEP 11 8 41 AM '95

RECEIVED
CITY CLERK

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BILL NO. 95-63

AN ORDINANCE RELATING TO SEWER USAGE CHARGES; AMENDING TITLE 14, CHAPTER 4, SECTION 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO EXPAND THE DEFINITION OF THE TERM "FIXTURE," TO ADD THE DEFINITION OF THE TERMS "MOTEL/HOTEL," "RESORT HOTEL," AND "TAKE-OUT RESTAURANT," AND TO AMEND THE EXISTING DEFINITIONS OF THE TERMS "LAUNDRY," "RESTAURANT," "HOSPITAL," AND "FINANCIAL INSTITUTION"; AMENDING SECTION 20 OF SAID

TITLE AND CHAPTER TO ADD CUSTOMER CLASSES AND BILLING UNITS TO THE EQUIVALENT RESIDENTIAL UNIT SCHEDULE USED TO CALCULATE CONSUMER CHARGES AS WELL AS MODIFYING EXISTING ERUS; AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PROVIDE CITY WITH THE AUTHORITY TO INSPECT COMMERCIAL AND RESIDENTIAL PROPERTY FOR SEWER SERVICE BILLING PURPOSES; AMENDING SECTION 100 OF SAID TITLE AND CHAPTER TO INCLUDE A SERVICE CHARGE FEE FOR RELEASE OF SEWER SERVICE LIENS; AMENDING SECTIONS 150 AND 200 OF SAID TITLE AND CHAPTER TO INCORPORATE THE PROVISIONS OF LVMC 14.04.020; REPEALING SECTIONS 140 AND 190 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith

SPONSORED BY: Councilman
Arnie Adamsen

SUMMARY: Expands the list of fixtures subject to sewer service charges, increases certain rate calculations for sewer usage and consolidates the sewer connection, sewer surcharges and sewer service charge calculation schedules.

At a City Council meeting
AUGUST 16, 1995

BILL NO. 95-63 AS READ BY TITLE
AND REFERRED TO RECOMMENDING COMMITTEE:

Councilmen McDonold and
Adamsen.

COPIES OF THE COMPLETE BILL
ARE AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE
OF THE CITY CLERK, 5TH
FLOOR, 400 EAST STEWART AVE.
NUE, LAS VEGAS, NEVADA.
PUB: September 1, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

BARBARA CARR, being first duly
sworn, deposes and says:

That she/he is a 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 of which is attached,
was continuously published in the LAS VEGAS
REVIEW-JOURNAL or THE LAS VEGAS SUN for a
period of ONE insertions
from the period of SEPTEMBER 1, 1995
to SEPTEMBER 1, 1995, on the following
days:

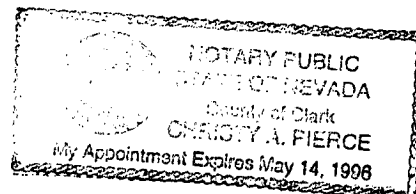
SEPTEMBER 1, 1995

Signed

Subscribed and sworn to before me this

6 day of September, 19 95

Christy A. Pierce
Notary Public



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CITY CLERK

SEP 22 10 50 AM '95

AFFIDAVIT OF PUBLICATION

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FIRST AMENDMENT
BILL NO. 95-43
ORDINANCE NO. 3931

AN ORDINANCE RELATING TO SEWER USAGE CHARGES; AMENDING TITLE 14, CHAPTER 4, SECTION 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO EXPAND THE DEFINITION OF THE TERM "FIXTURE," TO ADD THE DEFINITION OF THE TERMS "MOTEL/HOTEL," "RESORT HOTEL," AND "TAKE-OUT RESTAURANT," AND TO AMEND THE EXISTING DEFINITIONS OF THE TERMS "LAUNDRY," "RESTAURANT," "HOSPITAL," AND "FINANCIAL INSTITUTION"; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER TO ADD CUSTOMER CLASSES AND BILLING UNITS TO THE EQUIVALENT RESIDENTIAL UNIT SCHEDULE USED TO CALCULATE CONSUMER CHARGES AS WELL AS MODIFYING EXISTING ERU'S; AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PROVIDE CITY WITH THE AUTHORITY TO INSPECT COMMERCIAL AND RESIDENTIAL PROPERTY FOR SEWER SERVICE BILLING PURPOSES; AMENDING SECTION 100 OF SAID TITLE AND CHAPTER TO INCLUDE A SERVICE CHARGE FEE FOR RELEASE OF SEWER SERVICE LIENS; AMENDING SECTIONS 150 AND 200 OF SAID TITLE AND CHAPTER TO INCORPORATE THE PROVISIONS OF LVAC 14.04.020; REPEALING SECTIONS 140 AND 190 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:
Councilman Arnie Adamsen
SUMMARY: Expands the list of fixtures subject to sewer service charges, increases certain rate calculations for sewer usage and consolidates the sewer connection, sewer surcharge and sewer service charge calculation schedules.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of August, 1995, and referred to the following committee composed of Councilmen McDonald and Adamsen for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 20th day of September, 1995, which was a regular meeting of said City Council; and that of said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen: Adamsen, Callister, McDonald and Reese

VOTING "NAY" NONE

ABSENT NONE
DID NOT VOTING: Mayor Jones
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: September 23, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of SEPTEMBER 23, 1995 to SEPTEMBER 23, 1995, on the following days:

SEPTEMBER 23, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 26 day of Sept, 1995

Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

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CITY CLERK

SEP 28 10 50 AM '95

AFFIDAVIT OF PUBLICATION

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FIRST AMENDMENT
BILL NO. 95-43
ORDINANCE NO. 3931

AN ORDINANCE RELATING TO SEWER USAGE CHARGES; AMENDING TITLE 14, CHAPTER 4, SECTION 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO EXPAND THE DEFINITION OF THE TERM "FIXTURE" TO ADD THE DEFINITION OF THE TERMS "MOTEL/HOTEL," "RESORT HOTEL" AND "TAKE-OUT RESTAURANT," AND TO AMEND THE EXISTING DEFINITIONS OF THE TERMS "LAUNDRY," "RESTAURANT," "HOSPITAL" AND "FINANCIAL INSTITUTION"; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER TO ADD CUSTOMER CLASSES AND BILLING UNITS TO THE EQUIVALENT RESIDENTIAL UNIT SCHEDULE USED TO CALCULATE CONSUMER CHARGES AS WELL AS MODIFYING EXISTING FEES; AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PROVIDE CITY WITH THE AUTHORITY TO INSPECT COMMERCIAL AND RESIDENTIAL PROPERTY FOR SEWER SERVICE BILLING PURPOSES; AMENDING SECTION 100 OF SAID TITLE AND CHAPTER TO INCLUDE A SERVICE CHARGE FEE FOR RE-LEASE OF SEWER SERVICE LIENS; AMENDING SECTIONS 150 AND 200 OF SAID TITLE AND CHAPTER TO INCORPORATE THE PROVISIONS OF LVMC 14.04.020; REPEALING SECTIONS 140 AND 190 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored By:
Councilman Arnie Adamsen
SUMMARY: Expands the list of fixtures subject to sewer service charges, increases certain rate calculations for sewer usage and consolidates the sewer connection, sewer surcharge and sewer service charge calculation schedules.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of August, 1995, and referred to the following committee composed of Councilmen McDonald and Adamsen for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 20th day of September, 1995, 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 amended and adopted by the following vote:

VOTING "AYE" Councilmen: Adamsen, Collister, McDonald and Reese

VOTING "NAY" NONE

ABSENT NONE

DID NOT VOTE: Mayor Jones
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: September 23, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of SEPTEMBER 23, 1995 to SEPTEMBER 23, 1995, on the following days:

SEPTEMBER 23, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this

26 day of Sept, 1995

Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada

Clark County

My appt. exp. Feb. 17, 1998



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AFFIDAVIT OF PUBLICATION

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BILL NO. 95-63

AN ORDINANCE RELATING TO ADMINISTRATIVE SEWER USAGE CHARGES; AMENDING TITLE 14, CHAPTER 4, SECTION 10, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO EXPAND THE DEFINITION OF THE TERM "FIXTURE" TO ADD THE DEFINITION OF THE TERMS "MOTEL/HOTEL," "RESORT HOTEL," AND "TAKE-OUT RESTAURANT," AND TO AMEND THE EXISTING DEFINITIONS OF THE TERMS "LAUNDRY," "RESTAURANT," "HOSPITAL," AND "FINANCIAL INSTITUTION"; AMENDING SECTION 20 OF SAID TITLE AND CHAPTER TO ADD CUSTOMER CLASSES AND BILLING UNITS TO THE EQUIVALENT RESIDENTIAL UNIT SCHEDULE USED TO CALCULATE CONSUMER CHARGES AS WELL AS MODIFYING EXISTING ERU'S; AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PROVIDE CITY WITH THE AUTHORITY TO INSPECT COMMERCIAL AND RESIDENTIAL PROPERTY FOR SEWER SERVICE BILLING PURPOSES; AMENDING SECTION 100 OF SAID TITLE AND CHAPTER TO INCLUDE A SERVICE CHARGE FEE FOR RE-LEASE OF SEWER SERVICE LIENS; AMENDING SECTIONS 160 AND 200 OF SAID TITLE AND CHAPTER TO INCORPORATE THE PROVISIONS OF LVMC 14.04.020; REPEALING SECTIONS 140 AND 190 OF SAID TITLE AND CHAPTER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Arnie Adamsen

SUMMARY: Expands the list of fixtures subject to sewer service charges, increases certain rate calculations for sewer usage and consolidates the sewer connection, sewer surcharges and sewer service charge calculation schedules.

At a City Council meeting - AUGUST 16, 1995
BILL NO. 95-63 AS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilmen McDonald and Adamsen.

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: August 31, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

BARBARA CARR

, being first duly

sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of AUGUST 31, 1995 to AUGUST 31, 1995, on the following days:

AUGUST 31, 1995

Signed:

Subscribed and sworn to before me this

31st day of August, 19 95

Linda M. Gough

Notary Public



LINDA M. GOUGH
Notary Public - Nevada
Clark County
My appt. exp. May 14, 1996



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