

1 **BILL NO. 2012-10**

2 **ORDINANCE NO. 6182**

3 AN ORDINANCE RELATING TO THE COLLECTION OF SOLID WASTE; AUTHORIZING A
4 FRANCHISEE TO CHARGE CERTAIN FEES PERTAINING TO THE RECORDATION,
5 MAINTENANCE AND RELEASE OF LIENS ASSOCIATED WITH SOLID WASTE
6 COLLECTION SERVICES; AND PROVIDING FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Steve Wolfson

Summary: Authorizes a solid waste collection
franchisee to charge certain fees pertaining to the
recordation, maintenance and release of liens
associated with solid waste collection services.

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

11 SECTION 1: Title 9, Chapter 8, Section 230, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **9.08.230:** (A) All solid waste collection charges authorized and established by this Chapter,
14 including any penalties assessed under Section 9.08.210[,] and any fees assessed pursuant to Section
15 9.08.235, shall constitute a lien upon the real property of the premises served until such charges have
16 been paid. Such lien shall be enforced in the manner specified in NRS 444.520.

17 (B) Where solid waste collection service under this Chapter is provided by a
18 contractor or franchisee, the City may:

19 (1) Execute, record and administer such liens in the name of the City;

20 (2) Authorize the contractor or franchisee to execute, record and administer
21 such liens in the name of the City; or

22 (3) Authorize the contractor or franchisee to execute, record and administer
23 such liens in its own name.

24 (C) In each case described in Subsection (B), the charges, penalties and fees secured
25 by such liens shall run in favor of the contractor or franchisee consistent with the terms of the waste
26 collection contract or franchise agreement.

27 SECTION 2: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,
28 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 235,

1 reading as follows:

2 **9.08.235:** (A) With respect to a property concerning which a lien has been filed pursuant to
3 Section 9.08.230, a franchisee may:

4 (1) Pass through to the owner of that property any fees that have been
5 charged by the county recorder's office for the recording of that lien and for its release;

6 (2) Charge the owner of that property a fee to recover administrative costs
7 incurred by the franchisee in recording and maintaining such lien; and

8 (3) Charge the owner of that property a fee to recover administrative costs
9 incurred by the franchisee in securing the release of such lien.

10 (B) Subject to the provisions of Subsection (C), each of the fees set forth in
11 Paragraphs (2) and (3) of Subsection (A) shall not exceed sixty dollars.

12 (C) Commencing on July 1, 2012, each of the fees set forth in Paragraphs (2) and
13 (3) of Subsection (A) shall be adjusted in accordance with Section 9.08.240.

14 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or
15 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
16 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
17 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
18 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
19 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
20 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
21 invalid or ineffective.

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1 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 7TH day of MARCH, 2012.

5 APPROVED:

6
7 By 
8 CAROLYN G. GOODMAN, Mayor

9 ATTEST:

10 
11 BEVERLY K. BRIDGES, MMC
12 City Clerk

13 APPROVED AS TO FORM:

14 Robert S. Sylvain 1-23-12
15 Date
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1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 1st day of February, 2012, and referred to a committee for recommendation;
3 thereafter the committee reported favorably on said ordinance on the 7th day of March,
4 2012, which as a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council as first introduced and adopted by
6 the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Tarkanian, Ross,
Barlow and Coffin

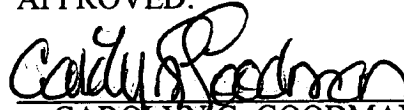
8 VOTING "NAY": None

9 DID NOT VOTE: None

10 ABSTAINED: None

11 VACANT: Ward 2

13 APPROVED:

14 

15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 

18 BEVERLY K. BRIDGES, MMC City Clerk

BUSINESS IMPACT STATEMENT

BILL NO. 2012-10

**(Authorizes a solid waste collection franchisee to charge certain fees
pertaining to the recordation, maintenance and release of liens associated
with solid waste collection services)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2012-10, that will authorize a solid waste collection franchisee to charge certain fees pertaining to the recordation, maintenance and release of liens associated with solid waste collection services.

1. The following constitutes a description of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

Not applicable

Beneficial effects:

Not applicable

Direct effects:

Not applicable

Indirect effects:

Not applicable

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

Not applicable

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains why such duplicative or more stringent provisions are necessary:

Not applicable

Date: January 23, 2012

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2012 MAR -6 A 11: 42

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

7746550

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/23/2012 to 02/23/2012, on the following days:

02/23/2012

BILL NO. 2012-10 AN ORDINANCE RELATING TO THE COLLECTION OF SOLID WASTE; AUTHORIZING A FRANCHISEE TO CHARGE CERTAIN FEES PERTAINING TO THE RECORDATION, MAINTENANCE AND RELEASE OF LIENS ASSOCIATED WITH SOLID WASTE COLLECTION SERVICES; AND PROVIDING FOR OTHER RELATED MATTERS. Sponsored by: Councilman Steve Wolfson Summary: Authorizes a solid waste collection franchisee to charge certain fees pertaining to the recordation, maintenance and release of liens associated with solid waste collection services. At the City Council meeting of FEBRUARY 1, 2012 BILL ND. 2012-10 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2nd FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA. PUB: February 23, 2012 LV Review-Journal
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Signed: _____

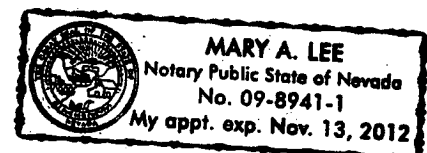
Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

day of

2012.

Notary Public



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2012 MAR 20 A 10 58

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

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7787413

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/10/2012 to 03/10/2012, on the following days:

03/10/2012

BILL NO. 2012-10
ORDINANCE NO. 6182

AN ORDINANCE RELATING TO THE COLLECTION OF SOLID WASTE; AUTHORIZING A FRANCHISEE TO CHARGE CERTAIN FEES PERTAINING TO THE RECORDATION, MAINTENANCE AND RELEASE OF LIENS ASSOCIATED WITH SOLID WASTE COLLECTION SERVICES; AND PROVIDING FOR OTHER RELATED MATTERS.

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of February 2012 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 7th day of March 2012, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Tarkanian, Ross, Barlow, and Coffin

VOTING "NAY": NONE

VACANT: Ward 2

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA.

PUB: March 10, 2012
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

12th day of March, 2012.

Mary Lee
Notary Public

