

1 **BILL NO. 2013-23**

2 **ORDINANCE NO. 6255**

3 AN ORDINANCE TO CHANGE THE BILLING AND PAYMENT OF SEWER SERVICE
4 CHARGES FROM AN ANNUAL BASIS TO A QUARTERLY BASIS, INCREASE THE FEE FOR
5 RELEASING A SEWER LIEN, AND PROVIDE FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Steven D. Ross

Summary: Changes the billing and payment of
sewer service charges from an annual basis to a
quarterly basis, and increases the fee for
releasing a sewer lien.

7
8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
9 AS FOLLOWS:

10 SECTION 1: Title 14, Chapter 4, Section 80, of the Municipal Code of the City of
11 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 which the annual cycle
14 billing established for such premises shall commence, shall be payable annually in advance unless the
15 customer elects to pay the annual bill in quarterly installments. The first quarterly installment payment
16 must be paid in advance, with any remaining amount due constituting a lien against the property.
17 Payment of all bills rendered shall be made to the Department of Finance and Business Services, and
18 any business license for a multiple dwelling or place of business that is associated with such billing
19 may be withheld or suspended unless the remaining portion of the current year's annual billing, or,
20 if the customer has elected to pay in quarterly installments, the remaining portion of the current
21 quarterly installment thereof, as the case may be, is paid in advance.] issued on a quarterly basis. Each
22 quarterly payment must be paid in advance by the first day of the month which begins the billing cycle
23 for the premises commences. Payment shall be made to the Department of Finance. Any business
24 license for a multiple dwelling or place of business associated with a billing may be withheld or
25 suspended for nonpayment.

26 (B) Customers who are owners of residential premises are required to pay the
27 quarterly billing of the annual charge rate per ERU set forth in Section 14.04.030 whether or not the
28 premises are occupied, notwithstanding any provision of this Chapter to the contrary.

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

7 SECTION 2: Title 14, Chapter 4, Section 90, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **14.04.090:** [(A) The full amount of the sewer service bill is due on the first day of the
10 customer's annual billing cycle, unless the customer elects to pay quarterly installments as provided
11 for in Section 14.04.080.

12 (B)] If any portion of the sewer service bill[, or, if the customer has elected to pay
13 such bill in quarterly installments, any portion of either or any of such quarterly installments] remains
14 unpaid for fifteen days or more following the date on which the same was due, the amount outstanding
15 shall be deemed delinquent and a fifteen percent penalty shall be charged thereon.

16 SECTION 3: Title 14, Chapter 4, Section 100, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

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

1 in recording the release of lien.

2 SECTION 4: This Ordinance shall become effective the day following its publication,
3 but Sections 1 and 2 thereof shall be deemed effective as of June 1, 2013.

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

12 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this 5TH day of June, 2013.

16 APPROVED:

17 By Carolyn G. Goodman
18 CAROLYN G. GOODMAN, Mayor

19 ATTEST:

20 Beverly K. Bridges
21 BEVERLY K. BRIDGES, MMC
City Clerk

22 APPROVED AS TO FORM:

23 Val Hest 7-17-13
24 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 1st day of May, 2013, and referred to a committee for recommendation; thereafter
3 the committee reported favorably on said ordinance on the 5th day of June, 2013, which as
4 a regular meeting of said Council; that at said regular meeting, the proposed ordinance
5 was read by title to the City Council as first introduced and adopted by the following vote:

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

8 VOTING "NAY": None

9 EXCUSED : Anthony

10 ABSTAINED: None

11 DID NOT VOTE: None

12 APPROVED:

13 
14 CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 
17 BEVERLY K. BRIDGES, MMC City Clerk

BUSINESS IMPACT STATEMENT

BILL NO. 2013-23

(Changes the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increases the amount of the fee for releasing a sewer lien)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2013-23, that would change the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increase the amount of the fee for releasing a sewer lien.

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

No comments were solicited from businesses. The billing change is expected to have no negative impact and a possible beneficial impact on businesses. The increase in the lien release fee will have no across-the-board impact on businesses, the only impact being on those unidentifiable businesses that might in the future become delinquent

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:

Slight increase in lien release fee for businesses that become delinquent

Beneficial effects:

Potential benefit to being billed quarterly in advance instead of annually

Direct effects:

See above

Indirect effects:

None identified

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

Not applicable

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

No additional cost

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

Estimated at \$30,000

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:

Help offset cost of supplies, postage and labor

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

Not applicable

Date: April 17, 2013

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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

LV CITY CLERK

2296311LV

8517419

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/23/2013 to 05/23/2013, on the following days:

05/23/2013

BILL NO. 2013-23

AN ORDINANCE TO CHANGE THE BILLING AND PAYMENT OF SEWER SERVICE CHARGES FROM AN ANNUAL BASIS TO A QUARTERLY BASIS, INCREASE THE FEE FOR RELEASING A SEWER LIEN, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Changes the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increases the fee for releasing a sewer lien.

At the City Council meeting of May 1, 2013
BILL NO. 2013-23 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

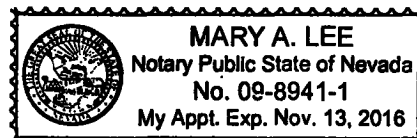
PUB: May 23, 2013
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

23rd day of May, 2013.

Mary Lee
Notary Public



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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

LV CITY CLERK

2296311LV

8544304

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/08/2013 to 06/08/2013, on the following days:

06/08/2013

BILL NO. 2013-23
ORDINANCE NO. 6255

AN ORDINANCE TO CHANGE THE BILLING AND PAYMENT OF SEWER SERVICE CHARGES FROM AN ANNUAL BASIS TO A QUARTERLY BASIS, INCREASE THE FEE FOR RELEASING A SEWER LIEN, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross
Summary: Changes the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increases the fee for releasing a sewer lien.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of May 2013 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 5th day of June 2013, 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 Tarkanian, Ross, Coffin, Barlow and Beers
VOTING "NAY": NONE
EXCUSED: Councilman Anthony

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: June 8, 2013
LV Review-Journal

Signed: _____

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

10th day of June, 2013.

Notary Public

