

1 **BILL NO. 2017-15**

2 **ORDINANCE NO. 6583**

3 AN ORDINANCE TO UPDATE THE CITY'S REGULATIONS GOVERNING STORMWATER AND  
4 STORMWATER MANAGEMENT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Bob Coffin  
6 (by request)

Summary: Updates the City's regulations  
governing stormwater and stormwater  
management.

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

9 SECTION 1: Title 14, Chapter 18, Section 10, of the Municipal Code of the City of Las  
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **14.18.010:** As used in this Chapter, the following terms shall have the meanings ascribed:

12 "Act" means the provisions of the Clean Water Act, as amended and as set forth in 33 U.S.C.  
13 Sections 1251 et seq., together with all guidelines, limitations and standards that are promulgated by the  
14 EPA pursuant to the Act.

15 "BMP" or "best management practices" means a structural or non-structural device, facility,  
16 measure, source control practice, or any activity, along with any required documentation thereof, that helps  
17 to achieve compliance with any discharge requirement set forth in this Chapter.

18 "CFR" means the Code of Federal Regulations, a codification of regulations issued by the  
19 executive departments and agencies of the Federal Government.

20 "Construction activity" means activities subject to NPDES construction permits as defined in 40  
21 CFR Section 122.26.

22 "Director" means the Director of Public Works, or an authorized agent or representative of the  
23 Director.

24 "Discharge" means a point source discharge of pollutants into the [storm system.] MS4.

25 "Groundwater infiltration" means the entry into the MS4 of water other than wastewater, including  
26 groundwater, by means of sewer service connections, foundation drains, defective pipes, pipe joints,

19

1 connections or manholes. The term does not include inflow.

2 “Illicit discharge” means a direct or indirect discharge of non-stormwater to the [storm system,]  
3 MS4, except as allowed for in this Chapter.

4 “Illicit connection” means any connection to the [storm system] MS4 from an indoor sink or drain,  
5 or any drain or conveyance, whether on the surface or subsurface, which allows entrance to the [storm  
6 system] MS4 of a discharge of sewage, industrial process wastewater, or non-stormwater that could  
7 interfere with the [storm system] MS4 or present an imminent and substantial endangerment to human  
8 health or the environment.

9 “Industrial activity” means activities subject to NPDES industrial permits as defined in 40 CFR  
10 Section 122.26[.], as well as other activities that the City has determined contribute to the loading of  
11 substantial pollutants to the MS4.

12 “Inflow” means entry into the MS4 of water other than wastewater by means of sources such as,  
13 but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy  
14 areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling  
15 towers, stormwater, surface runoff, street wash waters, or drainage.

16 “Maximum extent practicable” means the technology-based discharge standard to reduce pollutants  
17 in stormwater discharges that was established by Section 402(p) of the Act and is described in 40 CFR  
18 Section 122.34(a).

19 “MS4” means a municipal separate storm sewer system consisting of any publicly-owned facility  
20 by which stormwater is collected or conveyed, including but not limited to any roads with drainage  
21 systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and  
22 detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage  
23 structures.

24 “NDEP” means the Division of Environmental Protection of the Nevada Department of  
25 Conservation and Natural Resources.

26 “Non-stormwater” means any discharge to the [storm system] MS4 that is not composed entirely of

1 stormwater.

2 "NPDES permit" means a National Pollutant Discharge Elimination System permit that is issued  
3 by NDEP pursuant to Section 402 of the Act, authorizing a person to discharge pollutants into the waters of  
4 the United States.

5 "Person" means any individual, association, organization, partnership, firm, corporation or other  
6 entity recognized by law and acting as either the owner of premises or of an operation (or as the owner's  
7 agent), but does not include the City or any other state or local governmental entity within the State of  
8 Nevada, or any of their employees or agents.

9 "Point source" means "point source" as that term is defined in Section 502(14) of the Act.

10 "Pollutant" means "pollutant" as that term is defined in Section 502(6) of the Act.

11 "Premises" means any building, lot, parcel of land, or portion of land, whether improved or  
12 unimproved, and including adjacent sidewalks and parking strips.

13 "Release" or "spill" means any significant spill, leak, or release of any non-stormwater into the  
14 [storm system,] MS4, whether intentional or unintentional, other than that which is allowed for in this  
15 Chapter.

16 "Stormwater" means any discharge resulting from precipitation, irrigation, or normal residential  
17 activity.

18 "Surface waters" means "navigable waters" as that term is defined in Section 502(7) of the Act.

19 ["Storm system" means any publicly-owned facility by which stormwater is collected or conveyed,  
20 including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped  
21 storm drains, pumping facilities, retention and detention basins, natural and human-made or altered  
22 drainage channels, reservoirs, and other drainage structures.]

23 SECTION 2: Title 14, Chapter 18, Section 20, of the Municipal Code of the City of Las  
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **14.18.020:** The purpose of this Chapter is to provide for the health, safety, and general welfare of City  
26 residents and visitors through the regulation of discharges to the [storm system,] MS4, to the maximum

1 extent practicable. This Chapter establishes methods for controlling the introduction of stormwater and  
2 non-stormwater into the [storm system] MS4 in order to comply with the requirements of the [City's] Las  
3 Vegas Valley MS4 NPDES stormwater permit[.] that pertain to and are binding upon the City. The  
4 objectives of this Chapter are to:

5 (A) Regulate the discharge of stormwater and non-stormwater to the [storm system;]  
6 MS4, including without limitation discharges from spills, dumping or disposal of materials;

7 (B) Establish legal authority in order to require compliance necessary for conformance  
8 with the provisions of this Chapter and with the requirements and conditions of any permits, orders or  
9 contracts issued under or in connection with this Chapter;

10 (C) Establish legal authority in order to require compliance with BMPs for erosion and  
11 sediment controls at construction sites;

12 (D) Establish legal authority in order to inspect construction sites disturbing one acre  
13 or larger (or less than one acre, if part of a common plan of development) to establish compliance with this  
14 Chapter, as well as authority to take appropriate enforcement action as necessary;

15 (E) Establish legal authority in order to inspect industrial sites that are part of the  
16 City's inventory to establish compliance with this Chapter, as well as authority to take appropriate  
17 enforcement action as necessary;

18 ~~[(B)]~~ (F) Prohibit illicit connections and illicit discharges to the [storm system;] MS4;

19 ~~[(C)]~~ (G) Establish legal authority in order to carry out all inspection, surveillance,  
20 monitoring procedures, and enforcement activities necessary to [ensure compliance with this Chapter;]  
21 determine compliance and noncompliance with the provisions of this Chapter (including without limitation  
22 the prohibition of illicit discharges to the MS4), and to enforce the provisions of this Chapter;

23 ~~[(D)]~~ (H) Establish civil, administrative and criminal penalties for violations of the  
24 provisions of this Chapter; and

25 ~~[(E)]~~ (I) Provide procedures for City compliance with requirements that are placed upon the  
26 City by other governmental agencies.

1 SECTION 3: Title 14, Chapter 18, Section 30, of the Municipal Code of the City of Las  
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **14.18.030:** This Chapter shall apply to all water entering the [storm system] MS4 that has been  
4 generated on any developed and undeveloped lands, unless explicitly exempted by the Director or NDEP.

5 SECTION 4: Title 14, Chapter 18, Section 50, of the Municipal Code of the City of Las  
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **14.18.050:** The standards established by this Chapter are minimum standards that have been adopted  
8 by the City for the purposes stated. Nothing in this Chapter:

9 (A) Is intended, nor shall be deemed, to imply that compliance with this Chapter by  
10 any person will insulate that person from liability under other sources of law or theories of liability relating  
11 to the discharge of pollutants into the [storm system;] MS4;

12 (B) Shall create liability on the part of the City or its officers, employees or agents for  
13 any damages that result from a discharger's reliance on this Chapter or any administrative decision lawfully  
14 made thereunder.

15 SECTION 5: Title 14, Chapter 18, Section 60, of the Municipal Code of the City of Las  
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **14.18.060:** The City is authorized to regulate discharges from persons and premises that are located  
18 outside of the corporate boundaries of the City but are tributary to the [storm system,] MS4, consistent with  
19 any interlocal agreement. The requirements of this Chapter shall apply to each such person. The Director is  
20 authorized to inspect and monitor the facilities of each such person in order to determine its compliance  
21 with this Chapter.

22 SECTION 6: Title 14, Chapter 18, Section 70, of the Municipal Code of the City of Las  
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **14.18.070:** (A) It is unlawful for any person to discharge or cause to be discharged into the [storm  
25 system] MS4 any non-stormwater, unless the discharge has been authorized by NDEP and approved by the  
26 Director, or is one of the following:

1 (1) Water line flushing; [water] discharges from other potable water sources;  
2 landscape irrigation or lawn watering; diverted stream flows; rising [ground water; ground water infiltration  
3 to the storm system;] groundwater; uncontaminated groundwater infiltration; discharges from foundation  
4 [or] and footing drains (not including active groundwater dewatering systems for which a separate State  
5 permit is required); water from crawl space pumps; air conditioning and swamp cooler condensation;  
6 [springs; non-commercial washing of vehicles; natural riparian habitat or wetland flows;] non-commercial  
7 washing of vehicles; springs; flows from natural riparian habitats or wetlands; discharges or flows from  
8 firefighting activities; runoff from the washing of streets, if no detergents or chemicals are used; or any  
9 other water source not containing pollutants, provided that NDEP has not determined the source to be a  
10 substantial contributors of pollutants.

11 (2) Dechlorinated swimming pool water (less than [one] 0.1 mg/L chlorine),  
12 provided that a suitable connection to the sanitary sewer is not available, as determined by the Director, and  
13 permission to discharge swimming pool water into the [storm system] MS4 has first been obtained from the  
14 Director.

15 (3) Discharges specified by NDEP as being necessary to protect public health  
16 and safety.

17 (4) Dye testing, provided that notification, either verbal or written, is given to  
18 the Director prior to the time of the testing.

19 (B) It is unlawful for any person to discharge or cause to be discharged into any  
20 surface waters within the City any pollutant, without first obtaining from NDEP an NPDES permit  
21 authorizing the discharge, when such a permit is required by the Act.

22 (C) It is unlawful for any person to discharge or cause to be discharged into the [storm  
23 system] MS4 any non-stormwater that would cause a violation of the City's NPDES stormwater permit.

24 SECTION 7: Title 14, Chapter 18, Section 80, of the Municipal Code of the City of Las  
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **14.18.080:** (A) The construction, use, maintenance or continued existence of illicit connections to

1 the [storm system] MS4 is prohibited, which expressly includes, without limitation, illicit connections  
2 made in the past, regardless of whether the connection was permissible under law or practices applicable or  
3 prevailing at the time of connection.

4 (B) A person is considered to be in violation of this Chapter if the person connects a  
5 line conveying sewage to the [storm system,] MS4, or allows such a connection to continue.

6 (C) It is unlawful for any person to remove any manhole cover, or to discharge or  
7 cause to be discharged any stormwater or non-stormwater directly into a manhole or other opening in the  
8 [storm system] MS4 that has not been authorized for stormwater discharge, unless such discharge is  
9 approved by the Director. The Director may require a written application by the person and the payment of  
10 the applicable fees and charges that have been established by the City Council pursuant to Section  
11 14.18.200 of this Chapter.

12 SECTION 8: Title 14, Chapter 18, Section 90, of the Municipal Code of the City of Las  
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **14.18.090:** It is unlawful for any person to dispose of construction debris, landscaping clippings,  
15 industrial waste materials or other wastes into the [storm system,] MS4, except as allowed by this Chapter  
16 or by the Director.

17 SECTION 9: Title 14, Chapter 18, Section 100, of the Municipal Code of the City of  
18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **14.18.100:** (A) The Director shall have the full power and authority to immediately and effectively  
20 halt or prevent, through whatever means and procedures are deemed reasonably necessary, and after  
21 informal notice to the discharger, any discharge of non-stormwater into the [storm system] MS4 which  
22 appears to present an imminent endangerment to the health or welfare of any person or the environment, or  
23 which discharge threatens property or the proper operation of the [storm system,] MS4, or which places or  
24 threatens to place the City in violation of its NPDES stormwater permit. In implementing such measure or  
25 measures, the personnel of the City, any party with which the City has contracted for such purpose, or a  
26 duly authorized representative of any other government agency shall have immediate access to the premises

1 on which such condition exists. The Director may prohibit the approach to such premises by any person,  
2 vehicle, vessel or thing, and all persons who are not actually employed in the abatement of such condition  
3 or in the preservation of life or property on, or in the vicinity of, such premises may be excluded from such  
4 premises. The affected person or persons shall have the opportunity to respond, after the fact, to any action  
5 taken pursuant to this Section by requesting a hearing in the manner that is set forth in Subsection (E) of  
6 this Section.

7 (B) Any person who is notified of action pursuant to Subsection (A) of this Section [(a  
8 “storm system access suspension”)] (an MS4 access suspension) shall immediately cease and desist the  
9 discharge of all non-stormwater from its facilities into the [storm system.] MS4.

10 (C) If a person fails to comply voluntarily with [a storm system] an MS4 access  
11 suspension order, the Director may take such action as may be reasonably necessary in order to [ensure]  
12 establish immediate compliance with such order, including without limitation the immediate blockage or  
13 the disconnection of the person’s connection to the [storm system.] MS4.

14 (D) In addition, the Director, in the event of any violation of this Chapter by any  
15 person, may serve such person with a notice of an intended order of [storm system] MS4 access suspension,  
16 which notice states the reasons therefor, notifies the person of the opportunity for a hearing with respect  
17 thereto and establishes the proposed effective date of the intended order.

18 (E) Any person who has been notified of [a storm system] an MS4 access suspension  
19 under this Section may file with the Director a request for a hearing with respect thereto; provided,  
20 however, that the filing of such a request shall not stay the existing or proposed [storm system] MS4 access  
21 suspension.

22 (F) If a hearing is requested with respect to an existing or proposed [storm system]  
23 MS4 access suspension, the Director shall hold a hearing with respect to such [storm system] MS4 access  
24 suspension within fourteen days after receipt of the request. Within two working days following the close  
25 of the hearing, the Director shall make a determination concerning whether to affirm, to terminate or  
26 conditionally to terminate the [storm system] MS4 access suspension. Reasonable notice of the hearing

1 shall be given to such person no less than five working days prior to the date of the hearing.

2 (G) The Director may terminate [a storm system] an MS4 access suspension under this  
3 Section upon proof of the compliance by the person with applicable requirements, which compliance ends  
4 the emergency nature of the hazard that had caused the Director to initiate the [storm system] MS4 access  
5 suspension; provided, however, that the Director must be satisfied that the person will henceforth comply  
6 with all of the discharge requirements that are set forth in this Chapter, the City's rules and regulations that  
7 relate to the discharge of stormwater, and any lawful order that is issued pursuant to this Chapter.

8 SECTION 10: Title 14, Chapter 18, Section 120, of the Municipal Code of the City of  
9 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **14.18.120:** (A) Whenever it is necessary to make an inspection to monitor or enforce any of the  
11 provisions of, or to perform any duty imposed by, this Chapter, or whenever the Director has reasonable  
12 cause to believe that there exists upon any premises any violation of the provisions of this Chapter or any  
13 condition which makes such premises hazardous, unsafe or dangerous, the Director is authorized to enter  
14 such premises at all reasonable times and inspect the same and perform any duty that is imposed upon the  
15 Director by this Chapter, subject to the following conditions:

16 (1) If the premises are occupied, the Director shall first present proper  
17 credentials to the occupant and request entry after explaining the reasons therefor and the purpose of the  
18 inspection; or

19 (2) If the premises are unoccupied, the Director shall first make a reasonable  
20 effort to locate the owner or other person who has the care or control of such premises and request entry  
21 after explaining the reasons therefor and the purpose of the inspection. If such entry is refused or cannot be  
22 obtained because the owner or other person who has the care or control of such premises cannot be found  
23 after due diligence, the Director may have recourse to every remedy that is provided by law to effect lawful  
24 entry and to inspect such premises.

25 (B) Notwithstanding the provisions of Subsection (A) of this Section, if the Director  
26 has reasonable cause to believe that non-stormwater discharge conditions on or emanating from the

1 premises are so hazardous, unsafe or dangerous as to require immediate inspection and action in order to  
2 safeguard the public health or safety, the Director shall have the right immediately to enter and inspect such  
3 premises and may use any reasonable means that may be required in order to effect such entry and make  
4 such inspection, whether the premises are occupied or unoccupied and whether or not formal permission to  
5 enter and inspect has been obtained.

6 (C) It shall be unlawful for any person to fail or refuse, after a proper demand has been  
7 made upon that person in accordance with Subsection (B) of this Section, promptly to permit the Director  
8 to enter such premises and to make any inspection that is provided for by Subsection (B). In addition to any  
9 criminal penalty that may be imposed upon any person who violates this Subsection (C), such person's  
10 [storm system] MS4 access may be suspended as provided for in Section 14.18.100.

11 (D) Any person subject to this Chapter shall consent and agree to the entry at all  
12 reasonable times by the Director or designated personnel upon any premises subject to this Chapter for any  
13 of the following purposes:

14 (1) To inspect all areas of the person's facilities that have the potential to  
15 influence the characteristics of the non-stormwater that is, or may be, discharged to the [storm system;]  
16 MS4;

17 (2) To inspect, sample and take flow measurements of the discharge from such  
18 person's facilities and to examine records in the performance of the Director's authorized duties;

19 (3) To set up on such person's property such devices as may be necessary or  
20 appropriate in order to conduct sampling, inspections, compliance monitoring, flow measuring or metering  
21 operations, or any combination thereof;

22 (4) To inspect and copy any record, report, test result or other information that  
23 is required to carry out the provisions of this Chapter; and

24 (5) To photograph or otherwise create a record of any waste, waste container,  
25 vehicle, waste treatment process, discharge location or violation that is discovered during any such  
26 inspection.

1 (E) If a person has instituted security measures that require proper identification and  
2 clearance before entry upon its premises, such person shall make all arrangements with its security guards  
3 that may be necessary in order that, upon presentation of their credentials, the duly designated personnel of  
4 the City shall be permitted to enter upon the premises without delay for the purpose of performing their  
5 authorized duties.

6 SECTION 11: Title 14, Chapter 18, Section 130, of the Municipal Code of the City of  
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **14.18.130:** (A) For any construction site, the Director may require BMPs that reduce the discharge  
9 of pollutants to the maximum extent practicable. These BMPs shall be consistent with applicable local  
10 guidance documents developed to implement this Section. BMPs that are consistent with the applicable  
11 local guidance documents shall be deemed in compliance with this Section. These BMPs shall be installed  
12 and maintained at the sole expense of the owner or operator.

13 (1) The Director may require the owner or operator of any construction site to  
14 submit a written plan for BMPs before commencement of construction or operation of the site, or at any  
15 time thereafter. The Director may require any person who proposes development or significant  
16 redevelopment to submit a written plan for BMPs, and for the operation and maintenance of any BMP. Any  
17 such plan is subject to approval by the Director, and shall be maintained at the same site for which it was  
18 written and be available for inspection during normal business hours.

19 (2) Compliance with all terms and conditions of a valid NPDES stormwater  
20 permit authorizing the discharge of stormwater to the [storm system] MS4 shall be deemed in compliance  
21 with the provisions of this Section.

22 (B) If the Director determines that existing BMPs do not reduce the discharge of  
23 pollutants to the maximum extent practicable, the Director may require additional BMPs to satisfy the  
24 provisions of Subsection (A) of this Section.

25 (C) The Director may require secondary containment for any hazardous substance  
26 when the Director determines that the substance has the potential to enter the [storm system] MS4 illicitly.

1 Such secondary containment shall be provided and maintained at the sole cost and expense of the person  
2 responsible for the substance.

3 (D) In connection with any development proposal or significant redevelopment  
4 proposal, the Director may require:

5 (1) The implementation of [BMP's] BMPs to reduce the discharge of  
6 pollutants to the storm drain system after development is complete to the maximum extent practicable; and

7 (2) The submission of a written plan for the design, installation, operation or  
8 maintenance of post-development [BMP's,] BMPs, or any combination thereof.

9 SECTION 12: Title 14, Chapter 18, Section 140, of the Municipal Code of the City of  
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **14.18.140:** Notwithstanding any other requirement of law, as soon as any person responsible for a  
12 facility or operation, or responsible for emergency response related thereto, has information regarding any  
13 known or suspected release of non-stormwater at or from that facility or operation, where such release is  
14 not authorized by this Chapter, the person shall take all necessary steps [to ensure] for the discovery,  
15 containment, and cleanup of such release. In the event of a release that is in excess of a Federally-  
16 reportable quantity, the person shall immediately notify the Director and emergency response agencies of  
17 the occurrence by calling 911. In the event of any non-hazardous release, the person shall notify the  
18 Director no later than the next business day. If the release emanates from a commercial or industrial  
19 establishment, the owner or operator of such establishment shall also retain an on-site written record of the  
20 discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three  
21 years.

22 SECTION 13: Title 14, Chapter 18, Section 180, of the Municipal Code of the City of  
23 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **14.18.180:** (A) Whenever, on the basis of the information that is available, the Director finds that  
25 any person is in violation of any of the provisions of this Chapter, the Director may assess an administrative  
26 penalty in an amount that is not less than five hundred dollars nor more than ten thousand dollars for each

1 day that each such violation continues, unless a different administrative penalty for any of such violations is  
2 established in the schedule of fees and charges that has been established by the City Council pursuant to  
3 Section 14.18.200.

4 (B) Before assessing any administrative penalty pursuant to this Section, the Director  
5 shall give the person upon whom such penalty is to be imposed written notice of the proposed assessment  
6 and the opportunity to request, within thirty days after the date on which such notice is received by it, a  
7 hearing with respect to the proposed order of assessment.

8 (C) In determining the amount of any penalty assessed pursuant to this Section, the  
9 Director shall consider the nature, circumstances, extent and gravity of the violation in respect of which the  
10 penalty is proposed to be assessed; the economic benefit, if any, that has inured to the person as the result  
11 of such violation; any good faith effort on the part of the person to comply with the applicable  
12 requirements; the potential economic impact of the penalty upon the user or other person; any history of  
13 similar violations; the degree of culpability of the user or other person; and such other matters as justice  
14 may require.

15 (D) An order which imposes an administrative penalty pursuant to this Section shall  
16 become final:

17 (1) Thirty days after its issuance; or

18 (2) If a hearing has been requested pursuant to Subsection (B) of this Section,  
19 upon the Director's issuance of a decision following the hearing.

20 (E) The failure of a person to pay any administrative penalty that is imposed by the  
21 Director pursuant to this Section within thirty days after the imposition thereof shall be grounds for any  
22 remedy that is available under this Chapter for terminating the person's ability to discharge or cause to be  
23 discharged stormwater or non-stormwater from its facilities into the [storm system] MS4.

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

26 **14.18.200:** (A) In order to provide for the recovery by the City of its costs that are related to the

1 discharge of stormwater, non-stormwater or pollutants into the [storm system] MS4 and for the  
2 enforcement of the provisions of this Chapter, or both, the City Council shall establish a schedule of fees  
3 and charges. Such schedule, which shall be subject to periodic revision, may establish a specific amount for  
4 any fee, charge, assessment, penalty or other cost that is related to the discharge of stormwater, non-  
5 stormwater or pollutants to the [storm system] MS4 or the enforcement of the provisions of this Chapter, or  
6 both, including without limitation:

- 7 (1) Inspection fees;
- 8 (2) Application fees;
- 9 (3) Plan review fees;
- 10 (4) Monitoring fees;
- 11 (5) Administrative penalties;
- 12 (6) Fees for filing requests for reconsideration and appeals; and
- 13 (7) Other fees that the City Council deems appropriate.

14 (B) Except as may be otherwise provided in this Chapter, whenever any fee, charge,  
15 assessment or penalty that is required by this Chapter to be paid is based upon an estimated value or an  
16 estimated quantity, the Director shall make such determination in accordance with generally recognized  
17 practices.

18 SECTION 15: Title 14, Chapter 18, Section 250, of the Municipal Code of the City of  
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **14.18.250:** (A) Any person who does any of the following is guilty of a misdemeanor:

- 21 (1) Negligently or wilfully introduces or causes to be introduced into the  
22 [storm system] MS4 any non-stormwater which such person knew, or with the exercise of reasonable  
23 diligence would have known, could cause personal injury or property damage;
- 24 (2) Causes any violation of any condition of any permit that has been issued to  
25 the City pursuant to the Act, unless such action is necessary in order for the person to comply with all  
26 applicable Federal, State and local requirements or permits; or

1                   (3)     Knowingly makes a false statement, representation or certification of any  
2 material fact in any application, record, report, plan or other document that is filed or required to be  
3 maintained pursuant to this Chapter or who knowingly falsifies, tampers with or renders inaccurate any  
4 monitoring device or method that is required by this Chapter.

5                   (B)     Whenever in this Chapter any act is prohibited or is made or declared to be  
6 unlawful or an offense or a misdemeanor, or whenever in this Chapter the doing of any act is required or  
7 the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of  
8 any such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon  
9 conviction thereof, shall be punished by a fine of not more than one thousand dollars or by imprisonment  
10 for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of  
11 any violation of this Chapter shall constitute a separate offense.

12                   SECTION 16: Title 14, Chapter 18, Section 260, of the Municipal Code of the City of  
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **14.18.260:**     Any person who discharges or causes to be discharged any non-stormwater into the [storm  
15 system] MS4 shall be liable to the City for all damages, cleanup costs, monitoring costs and other  
16 associated costs that result therefrom.

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

24                   SECTION 18: Whenever in this ordinance any act is prohibited or is made or declared to  
25 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required  
26 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of

1 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon  
2 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of  
3 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation  
4 of this ordinance shall constitute a separate offense.

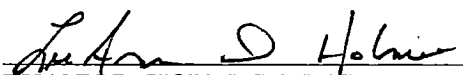
5 SECTION 19: All ordinances or parts of ordinances or sections, subsections, phrases,  
6 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983  
7 Edition, in conflict herewith are hereby repealed.

8 PASSED, ADOPTED and APPROVED this 7<sup>th</sup> day of June, 2017.


9 APPROVED:

10 By   
11 CAROLYN G. GOODMAN, Mayor

12 ATTEST:

13   
14 LUANN D. HOLMES, MMC  
City Clerk

15 APPROVED AS TO FORM:

16  4-18-17  
17 Val Steed, Date  
Deputy City Attorney

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 3<sup>rd</sup> day of May, 2017, and referred to a committee for recommendation; hereafter the committee reported favorably on said ordinance on the 7<sup>th</sup> day of June, 2017, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

- VOTING "AYE": Mayor Goodman, and Councilmembers Ross, Tarkanian, Anthony, Coffin and Beers
- VOTING "NAY": None
- EXCUSED: Barlow
- ABSTAINED: None

APPROVED:

  
\_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

ATTEST:

  
\_\_\_\_\_  
LUANN D. HOLMES/MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

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2017 MAY 30 P 3:55

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LAS VEGAS NV 89101

Account # 22515  
Ad Number 0000912987

Leslie McCormick, 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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/25/2017 to 05/25/2017, on the following days:

05 / 25 / 17

BILL NO. 2017-15

AN ORDINANCE TO UPDATE THE CITY'S REGULATIONS GOVERNING STORMWATER AND STORMWATER MANAGEMENT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin (by request)

Summary: Updates the City's regulations governing stormwater and stormwater management.

At the City Council meeting of  
May 3, 2017

BILL NO. 2017-15 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

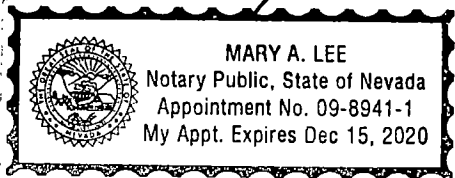
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: May 25, 2017  
LV Review-Journal

*Leslie McCormick*  
\_\_\_\_\_  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 25th day of May, 2017

Notary *Mary A. Lee*  
\_\_\_\_\_



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

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2017 JUN 14 A 11: 37

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LAS VEGAS NV 89101

Account # 22515  
Ad Number 0000918123

Leslie McCormick, 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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/10/2017 to 06/10/2017, on the following days:

06 / 10 / 17

BILL NO. 2017-15  
ORDINANCE NO. 6583

AN ORDINANCE TO UPDATE THE CITY'S REGULATIONS GOVERNING STORMWATER AND STORMWATER MANAGEMENT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Coffin (by request)

Summary: Updates the City's regulations governing stormwater and stormwater management.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of May, 2017, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 7th day of June, 2017, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Ross, Tarkanian, Anthony, Coffin, and Beers  
VOTING "NAY": NONE  
EXCUSED: Councilman Barlow

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 10, 2017  
LV Review-Journal



181  
\_\_\_\_\_  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 12th day of June, 2017

Notary 