

**NOTICE AND AGENDA
CITY OF NORTH LAS VEGAS
UTILITY ADVISORY BOARD REGULAR MEETING**

April 27, 2021

Website - <http://www.cityofnorthlasvegas.com>

CALL TO ORDER

6:00 PM, City Hall, Council Chambers, 2250 Las Vegas Boulevard North,
North Las Vegas, Nevada 89030

WELCOME

The Utility Advisory Board welcomes each of you to its **virtual meeting**. On March 12, 2020 and March 15, 2020, respectively, the State and the City declared States of Emergency related to COVID-19. On March 22, 2020, Governor Sisolak issued Declaration of Emergency Directive 006 that (1) suspended the requirements contained in NRS 241.020(1) and 241.023(1)(b) that there be a physical location designated for meetings of public bodies where the public can attend and participate, and (2) that suspended the requirements in NRS 241.020(4)(a) that public notice agendas be posted at the principal office of the public body and at not less than three other separate places within the jurisdiction of the public body. Emergency Directive 006 has been extended multiple times and was most recently extended on July 31, 2020 in Emergency Directive 029.

To ensure your safety and the safety of others, anyone interested in speaking in regards to items on this agenda may participate in one of the following ways:

- **Submit** comments no later than 2 PM on April 27, 2021 using the online form found at <http://www.cityofnorthlasvegas.com/departments/cityclerk>;
- **Provide** comments to City Clerk no later than 2 PM on April 27, 2021 by emailing cityclerk@cityofnorthlasvegas.com;
- **Call** when a business item is heard using **its item specific phone number**; call at the beginning of the meeting to speak at the first public forum for items under consent; or call at the end of the meeting for the **second public forum using its number**. Callers will be in a queue and recognized when it is their turn to speak.

Items on the agenda may be taken out of order. The Utility Advisory Board may combine two or more agenda items for consideration; and may remove an item from the agenda or delay discussions relating to an item on the agenda at any time. For general questions regarding this agenda or for supporting materials, please contact the Utilities Department at (702) 633-1275.



The North Las Vegas City Council Chambers is accessible to all persons. If you need special assistance to attend and participate in this meeting, please call Relay Nevada, a free service provider for deaf, hard of hearing, deaf-blind or those having difficulty speaking on the phone, by dialing 7-1-1. Call at least 72 hours in advance of the meeting in order to speak to City offices in order to submit your comments on agenda items.

These proceedings can be viewed live online at the [City's website](#) and on [YouTube](#). Meeting video is published to the City's [Public Access Portal](#) the day after the meeting.

VERIFICATION

Verification that the Agenda and Meeting Notice was properly posted on the bulletin board at City Hall, 2250 Las Vegas Boulevard North, the bulletin board at the North Las Vegas Public Library, 2250 Las Vegas Boulevard North, the bulletin board at the Public Safety Building, 2266 Civic Center Drive, the City's website (including supporting materials) and Nevada Public Notice website in compliance with NRS 241 (the Nevada Open Meeting Law) and in compliance with Emergency Directive 006 **(and subsequent extensions of Directive 006, including the most recent extension contained in Directive 029)**.

PLEDGE OF ALLEGIANCE - BY INVITATION

PUBLIC FORUM (702) 215-6380

This is the first of two portions of the meeting devoted to the public. Public comment during this portion of the agenda must be limited to matters on the agenda for action. Upon recognition by the Utility Advisory Board Chairman, please state your name and address for the record. In consideration of other citizens, we ask that you please limit your comments to three minutes and that repetition be avoided.

ELECTION OF OFFICERS (702) 215-6301

1. Elect Board Vice Chairman of Utility Advisory Board. (For Possible Action)

AGENDA

2. Approve Utility Advisory Board Regular Meeting Agenda of April 27, 2021. (For Possible Action)

CONSENT AGENDA (702) 215-6380

Matters listed on the Consent Agenda are considered routine and may be approved by a single motion. However, any Consent Item may be moved to the Business portion of the agenda for discussion at the request of any Board Member.

3. Approve Utility Advisory Board Regular Meeting Minutes of October 27, 2020. (For Possible Action)

BUSINESS

4. Presentation Regarding the Nevada Open Meeting Law. (Discussion only) **(702) 215-6304**
5. Discussion and/or Action Regarding Proposed Ordinance Changes to Title 13.04 and 13.24 for Apex Water Connection Fee (Ordinance Nos. 3076 and 3077) and Business Impact Statement. (For Possible Action) **(702) 215-6305**
6. Discussion and/or Action Regarding Residential Sewer Rates. (For Possible Action) **(702) 215-6306**

STAFF ITEMS

7. Utilities Financial Manager Report.
 - COVID-19 Revenues and Recovery Measures
8. Deputy Director's Report.
 - Preventative Maintenance Program
9. Director's Report.
 - FY 2022-2026 Capital Improvement Plan
 - Automated Metering Infrastructure (AMI) Project Update
 - Apex Infrastructure Update

BOARD ITEMS

PUBLIC FORUM (702) 215-6381

This is the portion of the meeting devoted to the public to speak on any subject within the jurisdiction, control, or authority of the Utility Advisory Board. Upon recognition by the Chairman, please state your name and address for the record. No matter raised in Public Forum may be the subject of deliberation or action but may be referred to staff for action at a later date. In consideration of other citizens, we ask that you please limit your comments to three minutes and that repetition be avoided.

ADJOURNMENT

**MINUTES
CITY OF NORTH LAS VEGAS
UTILITY ADVISORY BOARD
REGULAR MEETING**

October 27, 2020

Website - <http://www.cityofnorthlasvegas.com>

CALL TO ORDER

6:00 PM, City Hall, Council Chambers, 2250 Las Vegas Boulevard North,
North Las Vegas, Nevada 89030

ROLL CALL

BOARD MEMBERS PRESENT

Chairman Collins*
Member Davis*
Member Dias*
Member Riley*
Member Salazar*
Member Shoaff*

STAFF PRESENT

Utilities Director Brady*
City Clerk Raynor
Assistant City Attorney Aguayo*
Deputy Director of Utilities Llamado*
Water Systems Supervisor Gordon*
Senior Pretreatment Inspector Miller*
Utilities Financial Manager Riggs*
WRF Operations Supervisor Speaks*
Utilities Business Services Manager Chapman-Wilson*
Deputy City Clerk/Recording Secretary Calma
*Attended virtually

PLEDGE OF ALLEGIANCE - BY INVITATION

City Clerk Raynor

PUBLIC FORUM

There was no participation.

AGENDA

1. APPROVE UTILITY ADVISORY BOARD REGULAR MEETING AGENDA OF OCTOBER 27, 2020. (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Member Shoaff

AYES: Chairman Collins, Members Davis, Dias, Riley, Salazar and Shoaff

NAYS: None

ABSTAIN: None

ABSENT: None

CONSENT AGENDA

2. APPROVE UTILITY ADVISORY BOARD SPECIAL MEETING MINUTES OF APRIL 8, 2019. (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Member Shoaff

AYES: Chairman Collins, Members Davis, Dias, Riley, Salazar and Shoaff

NAYS: None

ABSTAIN: None

ABSENT: None

BUSINESS

3. PRESENTATION FROM THE SOUTHERN NEVADA WATER AUTHORITY (SNWA) REGARDING THE INTEGRATED RESOURCES PLANNING ADVISORY COMMITTEE (IRPAC), RECOMMENDATIONS, MAJOR CAPITAL CONSTRUCTION PROGRAM (MCCP) AND PROPOSED RATE INCREASES. (DISCUSSION ONLY)

Doa Meade Ross, Deputy General Manager for Engineering, from SNWA gave a presentation regarding IRPAC recommendations including infrastructure, water resources, water conservation and project funding to help meet future demands.

Ms. Ross noted that SNWA conservation efforts have yielded a 52% decrease per capita of water usage and a 33% decrease in consumption between 2002 and 2019, with a long-range plan of 105 gallons per capita per day. She added that one way to reduce water usage is to reduce non-functional turf acreage by 50%.

She stated that in order to gain funding for future SNWA projects, an average single-family residential home in the City of North Las Vegas would see a gradual increase of \$0.75 on their Utility bill over the span of six years, beginning in 2022.

**4. PRESENTATION REGARDING THE NEVADA OPEN MEETING LAW.
(DISCUSSION ONLY)**

Assistant City Attorney Aguayo provided the Open Meeting Law (OML) presentation. She stated that the OML was enacted in order to ensure that the actions and deliberations of public bodies are conducted openly. She provided the definition of a quorum for the Board, explained the criteria that invokes OML requirements, defined the deliberative process, and explained agenda requirements, as defined by the OML. She shared when the OML is not invoked and illustrated how a walking quorum is a violation of the OML. She provided three example cases where the OML may have been violated, providing background information and why some of them the courts held were violations and which were not considered violations.

Assistant City Attorney Aguayo added that the biggest issue she sees in public meetings is towards the end of a meeting under the second public forum, when elected or appointed officials respond to public comments for items that were not on the agenda. She stated that this creates OML problems and a final vote on the item in the future could be tainted due to that discussion.

**5. DISCUSSION AND/OR ACTION REGARDING SUPPLEMENTAL LOSEE
ROAD SEWER CONNECTION FEE (ORDINANCE NO. 3038) AND BUSINESS
IMPACT STATEMENT. (FOR POSSIBLE ACTION)**

Director Brady stated this item is in reference to the City Council action on July 17, 2019 on approving an Oversizing Agreement with Pulte Homes and is part of the Utility Department's routine process for development. He explained that the agreement was for construction of a sewer system on Losee Road between Centennial Parkway and Mendenhall Drive. He provided a timeline from the publication of the Business Impact Statement through to the adoption of Ordinance No. 3038. He clarified that the City's Utility Enterprise Fund paid for the expansion of the sewer system and stressed that adoption of Ordinance No. 3038 would allow the City to recoup those funds. He recommended approval of Item No. 5.

In response to Member Riley, Director Brady stated that the commission fee of \$354 is not paid by the City or its residents and is paid by the developer when filing plans for approval.

ACTION: APPROVED

MOTION: Member Shoaff

AYES: Chairman Collins, Members Davis, Dias, Riley, Salazar and Shoaff

NAYS: None

ABSTAIN: None

ABSENT: None

6. DISCUSSION AND/OR ACTION REGARDING PRETREATMENT SURCHARGE FEE (ORDINANCE NO. 3039) AND BUSINESS IMPACT STATEMENT. (FOR POSSIBLE ACTION)

Director Brady explained the Pretreatment Surcharge Fee is in regards to Ordinance No. 3039. He stated that the surcharge would be applied to Industrial Sewage Users for wastewater that exceeds the strength of three pollutants: Total Suspended Solids, Biochemical Oxygen Demand, and Phosphorous. He clarified that the City is required to remove these pollutants and that assessing the surcharge on these users allows the City to recoup the funds spent on removing the pollutants since these users created the pollutants. He recommended that the cost recovery measure for pretreatment surcharges be added to the Municipal Code as a part of Ordinance No. 3039.

ACTION: APPROVED

MOTION: Member Shoaff

AYES: Chairman Collins, Members Davis, Dias, Riley, Salazar and Shoaff

NAYS: None

ABSTAIN: None

ABSENT: None

7. DISCUSSION AND/OR ACTION REGARDING NON-FUNCTIONAL TURF REDUCTION (ORDINANCE NO. 3050). (FOR POSSIBLE ACTION)

Director Brady recommended modification of the Conservation Section in Title 13 to incorporate the Southern Nevada Water Authority's (SNWA) additional conservation measures to limit consumptive use of water resources and prohibit installation of turf in non-functional areas, primarily focusing on public/private schools and parks.

In response to Member Dias, Director Brady stated that Ordinance No. 3050 would govern new development, not existing developments. He added that that SNWA has several programs that would fund turf replacement to transition to desert landscaping for existing developments.

In response to Member Shoaff, Director Brady stated that the City has been actively replacing grass in several parks. He added that there has been some discussion for encouraging non-functional turf conversion or part-conversion in the Eldorado community.

ACTION: APPROVED

MOTION: Member Davis

AYES: Chairman Collins, Members Davis, Dias, Riley, Salazar and Shoaff

NAYS: None

ABSTAIN: None

ABSENT: None

8. DISCUSSION AND/OR ACTION REGARDING THE SOUTHERN NEVADA WATER AUTHORITY (SNWA) PROPOSED RATE INCREASES. (FOR POSSIBLE ACTION)

Director Brady shared that the rate change is not a significant increase and would be an additional two cents per one-thousand gallons. He asked for support from the Board and recommended that they approve the SNWA rates, stating they would be reflected in the Municipal Code and Utility Service Rules. He noted that part of the City's plan is to eventually remove SNWA's rates from the Municipal Code because the City Council does not have control over those rates and removal would clarify that.

In response to Chairman Collins, Director Brady explained that the City's water rates are not the highest in the valley and are comparable with other agencies.

Member Shoaff stated she would like to review the sewer rates in 2021.

ACTION: APPROVED

MOTION: Member Riley

AYES: Chairman Collins, Members Davis, Dias, Riley, Salazar and Shoaff

NAYS: None

ABSTAIN: None

ABSENT: None

9. DISCUSSION AND/OR ACTION REGARDING COMBINING UTILITY FUNDS. (FOR POSSIBLE ACTION)

Utilities Financial Manager Riggs provided a presentation in regards to the recommendation to combine the water and wastewater funds into a single utility fund. He noted that this combination would be more efficient for City staff and Utility staff in terms of saving work time that could be utilized elsewhere. He provided background on how the use of two funds actually adds to staff time and that the combination of the two funds into one would not negatively impact staff's ability to see where and how the funds for both water and wastewater are budgeted, received, spent, and audited.

ACTION: APPROVED

MOTION: Member Salazar

AYES: Chairman Collins, Members Davis, Dias, Riley, Salazar and Shoaff

NAYS: None

ABSTAIN: None

ABSENT: None

10. PROPOSED SERVICE RULE CHANGES. (DISCUSSION ONLY)

- Retitling to “Utility Service Rules”
- Incorporation of Sewer Guidelines
- Updated Charges, Fees and Deposit

Director Brady noted that the Service Rules provide current operating procedures and information to the public.

11. PROPOSED TITLE 13 ORDINANCE CHANGES. (CONTINUED FROM APRIL 8, 2019) (DISCUSSION ONLY)

- Cost Recovery Fees on Oversizing and Refunding Agreements
- Updated Charges, Fees and Deposits Not Incorporated into Service Rules
- Seasonal Adjustment of Wastewater Cap

Director Brady shared that there is another proposed Title 13 Ordinance change in regards to the senior discount for utility bills. He provided alternate qualifications, noting that only twelve accounts used the senior discount in September 2020.

In response to Member Dias’ question about the senior discount, Director Brady and Utilities Financial Manager Riggs clarified that the discount of 50% off applies to both water and sewer charges for seniors who qualify.

STAFF ITEMS

12. COVID-19 IMPACTS ON UTILITIES

Director Brady shared the numerous impacts that the pandemic has had on the Utilities Department, including waiving late fees/penalties for customers that requested it, putting internal procedures in place to protect essential workers for continuing utility operations, and referring customers to agencies that may be able to assist with utility payments.

13. 2020 WATER AND WASTEWATER USAGE REPORT

Director Brady shared a report on the impacts of water and wastewater usage and how it has varied over the last year, with some effects caused by the pandemic. He noted that water usage has increased this year by six percent due to the dry and hot weather.

14. AUTOMATED METER INFRASTRUCTURE (AMI) PROJECT UPDATE

Director Brady provided an update on the installation of City water meters at businesses and residential homes. He shared that they are halfway through installing 88,500 customer meters, noting that the older models were starting to fail and required manual reads or estimates. He noted that thanks to the newer meters, customers are now receiving accurate bills according to their actual water usage rather than an estimated usage. Director Brady added that there are plans to have a customer portal where customers can see the volume and times of water usage. He stated that the City is actively working on trying to complete this project by 2022, noting that it has been delayed due to the pandemic.

15. APEX WATERLINE UPDATE

Director Brady provided an update on the Apex Waterline. He noted that Phase 1 would potentially be completed by February/March of 2021, adding that this means that development and businesses could start moving out to Apex after that completion date. He added that Phase 2 would be oversizing an additional five miles of pipeline as well as adding 1 pump station and reservoir. He stated that the City is working closely with the Southern Nevada Water Authority to ensure that the City is included as the SNWA moves forward with their redundancy initiatives on the southern portion of the valley.

16. CHANGES TO THE BACKFLOW PROGRAM

Water Systems Supervisor Gordon provided information regarding changes to the Backflow Program that requires contractors purchase backflow devices and have them tested through one of the City's third party list. He noted that the new process would free up City staff to do work internally and not to test these devices. He added that the City is looking at setting up a fine fee system for violation of backflow rules.

Director Brady added that the backflow devices are important as they govern cross connections and protects water quality and safety of the system overall. He thanked Water Systems Supervisor Gordon and staff and expressed appreciation for their hard work.

17. UPDATE ON OTHER UTILITIES PROJECTS

Director Brady provided updates on various ongoing utility projects.

BOARD ITEMS

Chairman Collins encouraged the Board to provide ideas on how to bring more value to the Utility Advisory Board in order to gain better results from their meetings.

PUBLIC FORUM

There was no participation.

ADJOURNMENT

The meeting adjourned at 8:36 p.m.

APPROVED:

Russell Collins,
Chairman

ATTEST:

Jessica B. Calma,
Deputy City Clerk/Recording Secretary

Chapter 13.04 - WATER SERVICE SYSTEM^[2]

Sections:

Footnotes:

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Editor's note— [Ord. No. 2540](#), § 1, adopted May 19, 2010, amended Ch. 13.04, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Ch. 13.04 pertained to similar subject matter. See also the Code Comparative Table and Disposition List.

13.04.010 - Definitions.

As used in this chapter:

"Apex Water Connection Fee" means a charge to be made, in addition to all other fees, to any user benefiting and receiving water service from the Apex Industrial Park water system.

"Capacity connection charge" means the charge required of all applicants for service to premises where a service connection does not exist or where a service is to be enlarged. The charge to be paid depends on the meter size. The charge is payment for the costs allocated to providing capacity for service to applicants within the distribution system.

"Consumer Price Index (CPI)" means the Consumer Price Index (CPI), All Urban Consumers, U.S. City Average (CPI-U) as published by the U.S. Department of Labor, Bureau of Labor Statistics, Washington, D.C.

"Director" means the Director of the Utilities Department for the City of North Las Vegas.

"Equivalent development unit" or "~~EDU~~" means a measure of water demand equivalent to the average-day water demand correlated to the amount of wastewater generated by an average single-family residential dwelling unit. One EDU is equivalent to 90,000 gallons per year.

"Main extension charges" are those charges paid by the developer or property owner for the extension of a water main along intervening property.

"Private mains" means all water mains not owned by the City after completion.

"Project," when used in reference to water use planning fees, means any development, including new construction and expansion or modification of existing development, that requires the use of five acre feet or more of water per year and requires the approval of an officer or agency of the City. Excluded from this definition are public-owned projects, subdivisions, parcel maps, division of lands and planned use developments.

"Public mains" are those which are owned, operated and maintained by the City after completion and acceptance.

"Refunding agreement" means an agreement between a developer/customer and the City allowing for the reimbursement of water construction charges collected by the City with respect to a water main extension installed by the developer/customer adjacent to the property other than property owned by the developer/customer.

"Residential" means any separate building other than an apartment house, lodging house, hotel, motel or any designated plex-type structure (excluding condominiums), containing one or more habitable rooms occupied or designed for occupancy by not more than one family with facilities for living, sleeping, cooking and eating. A building will be classified as separate when it is separated from another structure

by a rated fire wall or by a distance equivalent to the required fire rating as defined in the building code of the City of North Las Vegas. Each dwelling unit of a condominium-type structure constitutes a separate single-family dwelling. Trailers or mobile homes located in a trailer or mobile home park and serviced through a master meter to the park are excluded from the definition of a single-family dwelling; provided, however, that each trailer or mobile home located in a trailer estates subdivision or on a separate defined lot or parcel of land constitutes a single-family dwelling.

"Senior citizen" means a person who is sixty-two (62) years of age or older, head of household, and is enrolled in the Nevada Energy Assistance Program (EAP) managed by the Nevada Department of Health and Human Services, Division of Welfare and Supportive Services, [or a similar program approved by the Director](#).

"Service activation charges" means the charge assessed all applicants requesting turn-on and activation of a water service account.

"Water construction charges" are those assessed, prorated costs for the installation of the water main and appurtenances along the frontage of the specific property. These mains must be inspected and accepted by the City. These charges are not assessed where the subdivider, developer or property owner installed the main at their expense.

"Water service connection" means the lateral pipe, regardless of size, from the point of connection to a City water main, to and including a meter, meter box or vault.

"Water system" or "water service system" means the existing water system owned and operated by said City and any future extension or improvement thereof, irrespective of whether water supplied thereby is, or may hereafter, be supplied, in whole or in part, from artesian wells or from other sources.

(Ord. 2360 § 1 (part), 2007; Ord. 2406 § 1, 2007; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

13.04.020 - Water Rates—Billings, Deposits, Refunds.

- A. **Metered Rate—Monthly Charge.** All single-family dwellings, and all other types of dwellings, commercial businesses, buildings, irrigation systems, or establishments requiring water service shall be furnished such service through a metered connection. Water rates shall be approved by City Council and published on the City's web site.

On October 1 of each year, the rates will be increased by a minimum of three percent until such time that they are changed by City Council.

Notes:

1. The monthly usage rate tables apply to a monthly billing cycle. The City will endeavor to maintain a monthly read cycle. The daily charge is the amount of days in the actual read cycle.
2. Multiple meters serving residential accounts will be assigned a fixed number of units to calculate the structure.

- B. **Fire Service Rate Schedule.** Applicable to all services through which water is used exclusively for the purpose of extinguishing fires: Fire service rates shall be approved by City Council and published on the City's web site.

On October 1 of each year, the rates will be increased by a minimum of three percent until such time that they are changed by City Council.

The consumption charge on fire services will be in accordance with Section 13.04.020 A., but the highest consumption rate will apply to all consumption.

- C. Charges to governmental agencies for water available through public fire hydrants shall be periodically negotiated with appropriate governmental agencies and shall be billed accordingly.

- D. **Water Rates Exception.** Nothing whatsoever contained in this section shall be deemed to apply to, nor govern the water rates providing for the furnishing of water services to any contract user for the furnishing of water services outside the City limits of the City's water service system, except as determined by the agreement.
- E. **Water Rates—Senior Citizen.** Senior citizens as defined in this chapter shall be charged a service charge of one-half of that daily service charge defined in this section, and a rate per one thousand (1,000) gallons equal to the average cost of water per one thousand (1,000) gallons purchased by the City during the preceding year. This rate will be recomputed each September 1 by the Director or designee. To qualify for the senior citizen discount, applicant must be enrolled in the Nevada Energy Assistance Program (EAP), as defined by the Nevada Division of Welfare and Supportive Services, [or a similar program as approved by the Director](#). Participants in this program are required to re-qualify annually. Proof of age and enrollment shall be required.
- F. **Billing Procedure.** In all cases the property owner or owners shall be liable for all water services imposed herein, including water charges and wastewater service system fees charged pursuant to Section 13.24.080. Failure to pay for any of these services billed shall constitute default on all. All fees due shall be a debt and obligation for the person or persons using these services and shall constitute a lien against the premises served. Such person using these services or property owner whose property is furnished these services shall be liable therefore in any action commenced by the City for the recovery of such fees in any court of competent jurisdiction. Failure to pay the entire amount shown on the monthly bill by the established due date will result in a late penalty charge of ten (10) percent of the entire bill. In the event the bill remains unpaid after ten (10) days of the next consecutive monthly billing date, all utility services may be discontinued until such time as the entire amount shown on the latest bill is paid together with a turn-on service fee of twenty-five dollars (\$25.00). In the event turn-on service is required between the hours of 3:00 p.m. and 8:00 a.m. on Monday, Tuesday, Wednesday and Thursday, or between 3:00 p.m. Thursday and 8:00 a.m. Monday, the service charge will then be sixty dollars (\$60.00). If additional costs are incurred in the enforcement of the discontinuance of the water service, the water customer will be required to pay these additional charges prior to the reconnection of service.
1. Correction of billing errors shall be made on the next regular bill, where possible, but in no case will the City make corrections retroactively for a period of more than twenty-four (24) months.
 2. Payment arrangements where a customer pays less than a full payment are made at the discretion of the Director or the designated person.
 3. Overpayments due to billing errors are normally credited to the account. At the discretion of the Director or designee, a refund of the overpayment may be made.
 4. Customers who fail to pay their utility bill after the services are discontinued are subject to a collection fee of twenty-five dollars (\$25.00) or twenty-five (25) percent of the balance due and may be reported to a collection company and a credit reporting service.
 5. The City may collect such delinquent fees, rates, and charges (a) in accordance with the requirements of NRS 268.043, by having the delinquent fees, rates, and charges collected at the same time as, together with and not separately from, Clark County's general taxes; (b) by perfecting the City's lien upon the property to which service is rendered by filing/recording in the office of the County Recorder a notice of lien signed by the City Clerk, or the City Clerk's designee, that identifies the amount due and unpaid, the name of the record owner(s) of the property, and a description of the real property subject to the lien; (c) through a collection agency, as defined in NRS Chapter 649; (d) directly; (e) through a civil action in any court of competent jurisdiction; and/or (f) through any other means available to the City under applicable law.
 - a. As described in Section (5)(a) above, at the discretion of the Director, any delinquent water or sewer fees, rates and charges in arrears on May 1 may be subject to a tax lien on the property. City Council will conduct a public hearing during the month of May to consider sending delinquent account balances to the Clark County Treasurer to be collected together with and not separately from the County's general taxes due on the parcel or parcels with the delinquent charges. If the City chooses to collect such delinquent fees, rates, and

charges, the City shall have the right to collect all penalties allowable under NRS 268.043 and NRS 361.483.7 from the owner(s) of the real property with respect to which the fees, rates, and charges are delinquent at the time such delinquencies became a lien against that property.

- b. If the City chooses to collect such delinquent fees, rates, and charges pursuant to Section (5)(b) above, no notice of lien shall be recorded against the property by the City unless written notice of the delinquency has been mailed or personally delivered to the record owner of the property at the last mailing address shown by the records of the County Assessor and the record owner of the property has been given fifteen (15) days to pay the delinquent amount in full. If there is more than one record owner, failure to send a copy of that notice to a particular owner does not invalidate a notice if properly sent to another record owner. An error or mistake in the name of the record owner contained in any notice of lien does not defeat the lien, unless a correction of the notice of lien in a particular instance would prejudice the rights of an innocent bona fide purchaser or encumbrancer for value, but then only with respect to the bona fide purchaser or encumbrancer for value who was prejudiced. The owner(s) of record and/or customer(s) of record must pay the City a service charge, in an amount approved by City Council and identified in the department service rules, for a release of the lien filed with the office of the County Recorder and any and all recording costs incurred by the City in recording the release of lien. After the delinquency is fully satisfied or discharged, at the written request of the owner(s) of record or customer(s) of record, and after that owner or customer pays the required fees, the City will cause to be recorded a notice of discharge or release of the notice of lien. After recording the required notice of lien and unless the delinquency is fully satisfied or discharged, the City may foreclose said lien against such property by following the process identified in NRS 108.239, as amended, for the foreclosure of mechanic's liens. The lien is coequal with the latest lien thereon to secure the payment of general taxes, the lien is not subject to extinguishment by the sale of any property on account of the nonpayment of general taxes, and the lien is prior and superior to all liens, claims, encumbrances and titles other than the liens of assessments and general taxes. The lien is not extinguished if the City does not commence a foreclosure action.

G. Deposits.

1. The following schedule of deposits for utility service is established.
 - a. Residential: One hundred fifty dollars (\$150.00);
 - b. Other (including multiple dwellings): The total amount of deposit shall be equal to three times the estimated average monthly bill;
 - c. Hydrant meters and mobile meters: Deposits shall be established in the Utility Service Rules and Regulations. An additional deposit may be required when a backflow prevention device is needed.
2. Customers with established credit may be exempted from the requirements of subsection (G)(1) of this section upon approval of the Director or designee.
3. Any deposit made prior to adoption of the ordinance codified in this chapter which is less than the amount required by subsection (G)(1) of this section shall be deemed to be sufficient and remain unchanged; provided, however, that any account for which service is discontinued because of nonpayment shall become subject to the provisions of subsection (G)(1).
4. Any unsecured account may remain unsecured; provided, however, that any such account for which service is discontinued because of nonpayment shall become subject to the provisions of subsection (G)(1).
5. The amount by which any deposit exceeds the requirements of subsection (G)(1) shall be refunded.

H. Deposit Refunds.

1. Deposits on any account established in the name of a property owner shall be refunded upon request at the end of any twelve (12) month period during which time water service has not been discontinued because of nonpayment and not more than two late penalties have been assessed. Deposits on any account established in the name of a tenant occupying the premises of a property owner shall remain on deposit until the account is closed. The refund may be by check or credited to the account's next billing at the discretion of the Director or designee.
2. Deposits for hydrant meters and mobile meters shall remain on deposit until the account is closed. The refund may be by check or credited to the account's next billing at the discretion of the Director or designee.
3. All deposits held by the City at the time an account is closed shall first be applied to amounts owed the City with any remaining deposit balances over fifty dollars (\$50.00) refunded.
4. Interest shall not be paid on deposits.

I. [Southern Nevada Water Authority](#) Regional Commodity Charge.

- ~~1. Effective January 1, 2014, a commodity charge, per the Southern Nevada Water Authority, adjusted annually on January 1 per one thousand (1,000) gallons based on the following table:~~

Calendar Year	2013	2014	2015	2016	2017 and Beyond
Commodity charge (per 1,000 gallons)	\$0.30	\$0.34	\$0.38	\$0.44	\$0.48

Effective on all bills mailed after January 1, 2014, a charge per 1,000 gallons shall be assessed to all metered potable water consumption as per the [Southern Nevada Water System Facilities and Operations Agreement among the Southern Nevada Water Authority, City of Boulder City, City of Henderson, City of North Las Vegas, and the Las Vegas Valley Water District](#).

J. [Southern Nevada Water Authority](#) Reliability Surcharge.

1. A reliability surcharge (excise tax) on the use of water for the benefit of the Southern Nevada Water Authority will be charged on all residential class customers at one-quarter of one percent of the total water bill, including service charges and consumption charges. For the purpose of this subsection residential class includes apartment houses as well as single-family dwellings, but does not include hotels, motels and lodging houses. All other customer classes will be charged a reliability surcharge (excise tax) on the use of water at two and one-half percent of total water bill, including service charges, backflow and consumption charges.
2. The reliability surcharge (excise tax) shall be added to the customer's water bill commencing with the first water bill issued in April 1998, for water consumption commencing March 1, 1998, and shall be billed and collected monthly pursuant to subsection (F) of this section, which provides a late penalty charge but no interest.
3. Any surcharge (tax) due is a perpetual lien against the property served by the water on whose use the tax is imposed until the tax and penalties thereon are paid. Collection of the tax may be enforced in any manner authorized by law for the collection of unpaid water bills. In addition to all other methods available to enforce payment, the tax may be collected in the same manner as delinquent taxes are collected pursuant to NRS 268.043 for sewerage charges.
4. The surcharge (tax) shall continue for a duration of twenty-five (25) years, measured from the effective date of Ordinance No. 1251 which first enacted this subsection (March 1, 1998), unless sooner reduced or deleted in accordance with law. However, the City Council shall review the necessity for the continued imposition of the surcharge (tax) authorized pursuant to NRS 268.4112 at least once every ten (10) years, measured from March 1, 1998.

K. Hydrant Meters and Mobile Meters.

1. Connections to public or private fire hydrants are prohibited unless a permit is issued by the City and a City-owned fire hydrant meter or mobile meter is used. Each applicant requesting use of a City-owned fire hydrant meter must submit the required application and related documentation to the Utilities Department for approval. ~~The deposit is nine hundred twenty-five dollars (\$925.00) for each hydrant or mobile meter.~~ Upon approval, the applicant and/or authorized designee agrees to follow all instructions on the proper use of hydrant meters and any attached backflow prevention devices. The City will determine when a backflow prevention device is necessary and will be required. Applicant and/or authorized designee agree to abide by the regulations and fees established in the Utility Service Rules and Regulations. ~~The applicant and the applicant's employer agree to:~~
2. ~~Follow all instructions on the proper use of hydrant meters and mobile meters, including agreeing to the City's ability to establish the location of the installation and to place limitations on the rate of flow and time of use.~~ Any business or individual using a hydrant without approval or an assigned hydrant meter may be assessed a fine as determined by the Utility Department Service Rules and Regulations. All equipment attached to the hydrant will be seized or damaged to prevent further use. The Director or designee may close all water accounts opened by the business or individual if the illegal connection continues and may confiscate hydrant meters and close all water accounts opened by a business or individual applicant when it is determined that the hydrant meter program is being abused. The City may discontinue the service and remove the hydrant meter or mobile meter when the time period of use expires or if the water is used for any purpose other than that designated by the applicant.
3. ~~Follow all requirements of the City including the use of a backflow prevention device when necessary. When backflow prevention device is required, the applicant must provide and use a backflow prevention device which meets the City's standards.~~
4. ~~Report the location of the hydrant meter or mobile meter on a designated day each month by email or fax.~~
5. ~~Report hydrant meter or mobile meter readings on a designated day each month by email or fax.~~
6. ~~Return hydrant meters or mobile meters to the Utilities Department when:~~
 - a. ~~Three months of zero gallons are used;~~
 - b. ~~Damage occurs to the hydrant meter;~~
 - c. ~~One year of use has occurred; and~~
 - d. ~~When requested by the Utilities Department.~~
7. ~~Pay a fine of two hundred fifty dollars (\$250.00) for failing to report the location and/or the hydrant meter or mobile meter readings by the designated day of the month for one month. This fine will be added to the monthly bill. Two months of non-reporting will subject the applicant to forfeiture of the hydrant meter or mobile meter and use of the water system.~~
8. ~~Pay an additional charge of twenty-five dollars (\$25.00) for a member of the Utilities Department to read the meter on the work day following the day of request or sixty dollars (\$60.00) to read the meter on the same day as the day of the request. This charge will be added to the monthly bill.~~
9. ~~Pay for~~ The costs to repair damage to the fire hydrant, hydrant meter and/or mobile meter when damaged, will be the responsibility of the applicant.
10. ~~Pay for the costs to repair the damage to the fire hydrant when it is damaged during the use of or damage to a hydrant meter or mobile meter.~~
11. ~~Move the hydrant meter or mobile meter when requested by the City.~~
12. ~~Secure the hydrant meter or mobile meter to the hydrant to prevent the theft of the meter. Maintain control of a mobile meter to prevent theft.~~

- ~~13. Failure to comply with the sections of these rules will result in a fine of two hundred fifty dollars (\$250.00) which will be added to the monthly bill and the hydrant meter or mobile meter will be seized.~~
- ~~14. Report the theft of a hydrant meter or mobile meter immediately.~~
- ~~4. 15. Pay a fine of two thousand five hundred dollars (\$2,500.00) or the cost of one million (1,000,000) gallons of water, whichever is lesser for each hydrant meter or mobile meter reported stolen.~~
- ~~16. Pay a fine of two thousand five hundred dollars (\$2,500.00) or the cost of one million (1,000,000) gallons of water, whichever is lesser for tampering with a hydrant meter or mobile meter as determined by the Utilities Department.~~
- ~~17. The Director or designee may close all water accounts opened by the business or businesses and the individual applicant if the Utilities Department determines that the hydrant meter or mobile meter program is being abused.~~
- ~~18. At the discretion of the Director or designee, the City staff may secure the hydrant meter or mobile meter to the fire hydrant for the customer. The customer shall be charged twenty-five dollars (\$25.00) to set the meter on the work day following the day of application or sixty dollars (\$60.00) to set the meter on the same day as the day of application. The same fees apply when the meter is moved to different fire hydrant at the customer's request.~~
- ~~19. Any business or individual using a fire hydrant for construction water without a hydrant meter or mobile meter will be fined one thousand dollars (\$1,000.00) after two previous warnings to disconnect from a fire hydrant. The hoses attached to the fire hydrant will be seized and/or damaged to prevent further use after attempts to contact the business or individual fail. The Director or designee may also close all water accounts opened by the business or individual.~~
- ~~20. Hydrant meters and mobile meters are not to be used in lieu of permanent water service.~~

L. [Southern Nevada Water Authority](#) Infrastructure Surcharge.

[This surcharge was approved by the Southern Nevada Water Authority Board on February 29, 2012, and was enacted on purveyor water sales beginning May 1, 2012. The surcharge is applied as a fixed monthly water service charge based on meter size.](#)

- ~~1. Effective January 1, 2014, a fixed-rate infrastructure surcharge, per the Southern Nevada Water Authority, adjusted annually on January 1 for meter size based on the following table:~~

~~Monthly Infrastructure Charges Per Meter, Per Month~~

Calendar Year	2013	2014	2015	2016	2017 and Beyond
Infrastructure Charge Per Meter Per Month					
Residential – 5/8" and 3/4" meter sizes	\$5.00	\$5.64	\$6.36	\$7.18	\$8.11
Residential – 1" meter size	\$19.21	\$20.42	\$21.79	\$23.34	\$25.10

Residential—1.5" meter size	\$38.41	\$40.83	\$43.56	\$46.67	\$50.19
Residential—2" meter size	\$61.46	\$65.34	\$69.70	\$74.67	\$80.31
Residential—3" meter size	\$122.90	\$130.66	\$139.38	\$149.32	\$160.60
Residential—4" meter size	\$192.03	\$204.15	\$217.79	\$233.32	\$250.93
Residential—6" meter size	\$384.05	\$408.29	\$435.57	\$466.63	\$501.85
Residential—8" meter size and larger	\$614.47	\$653.26	\$696.89	\$746.59	\$802.95
Non-Residential—5/8" and 3/4" meter sizes	\$19.05	\$19.69	\$20.41	\$21.23	\$22.16
Non-Residential—1" meter size	\$36.08	\$37.29	\$38.66	\$40.21	\$41.97
Non-Residential—1.5" meter size	\$72.16	\$74.58	\$77.31	\$80.42	\$83.94
Non-Residential—2" meter size	\$115.45	\$119.33	\$123.69	\$128.66	\$134.30
Non-Residential—3" meter size	\$230.90	\$238.66	\$247.38	\$257.32	\$268.60
Non-Residential—4" meter size	\$360.79	\$372.91	\$386.55	\$402.08	\$419.69
Non-Residential—6" meter size	\$721.57	\$745.81	\$773.09	\$804.15	\$839.37
Non-Residential—8" meter size	\$1,154.50	\$1,193.29	\$1,236.92	\$1,286.62	\$1,342.98
Non-Residential—10" and larger meter sizes	\$1,659.59	\$1,715.35	\$1,778.07	\$1,849.51	\$1,930.54

M. [Southern Nevada Water Authority](#) Drought Protection Charge.

[This charge was approved by the Southern Nevada Water Authority Board on December 10, 2014, and was enacted on purveyor water sales beginning January 1, 2016. The surcharge is applied as a fixed monthly water service charge based on meter size.](#)

- ~~1. Effective January 1, 2016, a fixed-rate drought protection charge per the Southern Nevada Water Authority, adjusted annually on January 1 for meter size based on the following table:~~

Monthly Drought Protection Charges Per Meter, Per Month

	Drought Protection Charge			
Meter Size	2016	2017	2018	2019 and Beyond
Residential 5/8" and 3/4" meter sizes	\$2.41	\$3.61	\$4.81	\$4.81
Residential 1" meter size	\$4.56	\$6.84	\$9.11	\$9.11
Residential 1.5" meter size	\$9.13	\$13.67	\$18.22	\$18.22
Residential 2" meter size	\$14.61	\$21.88	\$29.15	\$29.15
Residential 3" meter size	\$29.21	\$43.76	\$58.30	\$58.30
Residential 4" meter size	\$45.64	\$68.37	\$91.10	\$91.10
Residential 6" meter size	\$91.29	\$136.74	\$182.20	\$182.20
Residential 8" meter size and larger	\$146.06	\$218.79	\$291.52	\$291.52
Non-Residential 5/8" and 3/4" meter sizes	\$2.41	\$3.61	\$4.81	\$4.81
Non-Residential 1" meter size	\$4.56	\$6.84	\$9.11	\$9.11
Non-Residential 1.5" meter size	\$9.13	\$13.67	\$18.22	\$18.22
Non-Residential 2" meter size	\$14.61	\$21.88	\$29.15	\$29.15
Non-Residential 3" meter size	\$29.21	\$43.76	\$58.30	\$58.30
Non-Residential 4" meter size	\$45.64	\$68.37	\$91.10	\$91.10
Non-Residential 6" meter size	\$91.29	\$136.74	\$182.20	\$182.20
Non-Residential 8" meter size	\$146.06	\$218.79	\$291.52	\$291.52
Non-Residential 10" and larger meter sizes	\$209.96	\$314.51	\$419.05	\$419.05

(Ord. 2406 § 2, 2007; Ord. 2360 § 1 (part), 2007; Ord. No. 2523, § 1, 12-16-2009; [Ord. No. 2540](#), § 1, 5-19-2010; [Ord. No. 2608, § 1](#), 3-21-2012; [Ord. No. 2645, §§ 1, 2](#), 12-18-2013; [Ord. No. 2697, §§ 1, 2](#), 1-7-2015; [Ord. No. 2733, § 1](#), 11-4-2015; Ord. No. [2843](#), § 1, 12-6-2017)

13.04.030 - Water Service Fees.

A. Meter Charge.

1. The charge for the water meter [and components](#) shall be as follows:

Size	Electronic Meter, box, cover, radio, adaptor
5/8" × 3/4", 3/4"	\$175.00
1"	\$250.00
1 1/2"	\$370.00
2"	\$480.00
Over 2"	Actual cost plus \$125.00 per register 15%

- ~~2. The charge for a replacement water meter only, shall be as follows:~~

Size	Electronic Meter
5/8" × 3/4", 3/4"	\$80.00
1"	\$160.00
1 1/2"	\$295.00
2"	\$415.00

- ~~3. The charge for the replacement for the water meter radio shall be one hundred fifteen dollars (\$115.00).~~

- B. Meter Testing. The City will shop test any meter up to and including two inches in size at the request of and preferably in the presence of the customer. A fee of thirty dollars (\$30.00) shall be paid in advance of the meter test. If, after the meter test, it is determined that the meter registers greater than two percent over the true quantity, the fee shall be returned, together with the amount overcharged during the prior six months, or such portion of the six-month period in which the meter was in operation or in which the customer has been responsible for water bills. However, if the meter registers no greater than two percent over the true quantity, the fee shall be forfeited, and all water bills paid as presented. Hydrant meters shall be considered within acceptable limits at ninety-seven (97) percent accuracy.
- C. Capacity Connection Charges. The capacity connection charge is as follows:

Capacity Connection Charge	
Meter Size	Per Meter Size
Apartments, Condominiums, Townhouses, Two-Family and Multifamily Dwellings (per unit)	\$852.00
Residential 5/8" × 3/4", 3/4"	\$1,420.00
5/8" × 3/4", 3/4"	\$1,420.00
Residential 1"	\$2,367.00
1"	\$2,367.00
1 ½"	\$4,733.00
2"	\$7,573.00
3"	\$16,567.00
4"	\$29,820.00
6"	\$66,267.00
8"	\$113,600.00
10"	\$179,867.00
12"	\$236,667.00

14"	\$285,000.00
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Combined Service	
Mainline Size	Per Combined Service
6-inch	\$16,567.00
8-inch	\$29,820.00
10-inch	\$66,267.00

- D. Water Construction Charges. ~~Regardless of the main size, W~~ water construction charges will be based on ~~a minimum of eighteen dollars (\$18.00) the diameter of the main~~ per ~~lineal front~~ foot of property frontage wherein the main rendering the service to the property is located per the following table:

<u>MAIN FRONTAGE FEES</u>	
<u>Diameter of Pipe</u>	<u>Assessment per lineal foot of frontage</u>
<u>Less than 8"</u>	<u>\$17.00</u>
<u>8"</u>	<u>\$20.00</u>
<u>10"</u>	<u>\$32.00</u>
<u>12"</u>	<u>\$37.00</u>
<u>14"</u>	<u>\$50.00</u>
<u>15"</u>	<u>\$56.00</u>
<u>16"</u>	<u>\$63.00</u>
<u>18"</u>	<u>\$76.00</u>
<u>20"</u>	<u>\$90.00</u>
<u>NOTE: A minimum charge shall apply to any parcel with less than 60 feet of chargeable frontage. The minimum charge will be calculated by multiplying the lineal foot rate for the size of the main times 60 feet.</u>	

- ~~Where a refunding agreement is in place with the City based on the actual cost of construction, water construction charges will be based on one-half of the per lineal foot installation cost of the main multiplied by the length of property fronting the main.~~ The charge is not applicable wherein the frontage main is constructed by the developer, subdivider or property owner, provided the frontage main is constructed to specifications approved by the Director or designee.

- E. **Main Extension Charges.** Applicants for main extensions are responsible for payment of the entire cost of such extension, unless modified due to extenuating circumstances. A portion of the cost of such extension may be reimbursed to the applicant through the proper execution of a refunding agreement with the City. The amount of refund is limited to those water construction charges collected by the City on the extension of the main during the ten (10) years following the acceptance of the main by the City but shall not exceed ninety-five (95) percent of the actual cost to the applicant for the main extension (less any portion of the cost applicable to any portion of the main adjacent to property owned by the applicant). Refunding agreements will be secondary to the City recouping all associated costs the City paid for oversizing any such main.
- F. **Main Oversizing.** In some situations reimbursements may be due the developer due to oversizing of mains. Participation by the City for oversizing of the main extension shall be based on the difference in inches of the diameter of the main and appurtenances installed and the diameter of the main and appurtenances required by the developer. Any refunding provisions shall be limited to those mains which are classified as off-site mains, and the amount of reimbursement will be determined on the merits of each individual case.
- G. **Application for Water Service Fee.**
1. **Application for Water Service Fee.** All applicants for water service will be required to pay a nonrefundable fee, at the time water plans are submitted for review, or at the time application for service is made if water plans are not required, as follows:

Application Fee	
Meter Size	Per Meter
Apartments, Condominiums, Townhouses, Two-Family and Multiple Family Dwellings (per unit)	\$120.00
5/8" × 3/4", 3/4"	\$200.00
1"	\$330.00
1 ½"	\$650.00
2"	\$1,040.00
3"	\$1,950.00
4"	\$3,250.00
6"	\$6,500.00
8"	\$10,400.00
10"	\$14,950.00

12"	\$22,100.00
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2. Application Fee for a Fireline Service:

- a. Fireline service fee, per DCDA (or other approved device): seven hundred fifty dollars (\$750.00);
 - b. Register fee: one hundred twenty-five dollars (\$125.00) each;
 - c. Fire hydrant with no metered services: seven hundred fifty dollars (\$750.00).
3. Service Activation Charge. All consumers (residential, multifamily, non-residential, and fire service) will pay a service activation charge, as determined by the Director or designee, for establishment, activation or transfer of water service account.
 4. Application and permit for occupancy of Nevada Department of Transportation right-of-way with the City's Utilities Department as permittee: fifty dollars (\$50.00).
 5. Administrative fee for the initiation and processing of a water refund agreement: two hundred dollars (\$200.00).
 6. Administrative fee for the processing of a refund requested by developer or engineer: two hundred fifty dollars (\$250.00).
 7. Administrative fee for the processing of a refund due to the project plan expiration: two hundred fifty dollars (\$250.00).
 8. Administrative fee for the processing of a refund at the written request of the developer or engineer for cancellation of a project: two hundred fifty dollars (\$250.00).
 9. Other applicable fees as stated in North Las Vegas Municipal Code, Chapter 2.36 entitled Administrative Fees.

H. [Southern Nevada Water Authority](#) Regional Connection Charge.

1. [Effective March 1, 1996, a regional water connection fee shall be assessed to all projects as per the Southern Nevada Water System Facilities and operations Agreement among the Southern Nevada Water Authority \(SNWA\), City of Boulder City, City of Henderson, City of North Las Vegas, and the Las Vegas Valley Water District. The rate charged shall be based on the rate in effect at the time the application for new utility service or improvements plans \(as required by the city\) are approved and the actual connection fees are paid. For combination fire and domestic meters, the charge shall be based on the smaller meter.](#)

2. [The City reserves the right to audit any project within the initial three years of operation to confirm the basis or estimate used to determine the regional connection charge and may adjust the amount of the regional connection charge based upon the results of such audit. Subsequent audits may be conducted by the city to determine any increase in the basis of the regional connection charge and may adjust the regional connection charge at the rate in place at the time of the audit.](#)

~~1. Regional connection charges will be assessed to all development served by the City's municipal water service district, as follows:~~

a. ~~Residential, Multifamily and Mobile Home Development. Gross acreage for residential density measurement purposes includes the area to the centerline of the road, consistent with gross acreage measurement used by the City's Development Services Department.~~

i. ~~Residential and multifamily (apartments, multiplexes, and so forth) development maintaining a density of eight units per acre or less, excluding mobile homes, shall have regional connection charges based upon meter size, as follows:~~

Residential: Eight or Fewer Units Per Acre Connection Charge Per Meter				
Effective Date	5/8" x 3/4", 3/4"	1"	1½"	2"
11-1-08	\$4,870.00	\$9,610.00	\$19,170.00	\$30,680.00

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ii. ~~Residential and multifamily (apartments, multiplexes, and so forth) development maintaining a density of more than eight units per acre and all mobile homes shall have regional connection charges based upon the number of dwelling units in the development, as follows:~~

Residential and Multifamily: More Than Eight Units Per Acre and Mobile Homes Connection Charge		
Customer Class	Based on	11-1-08 and Beyond
Residential and multifamily of more than 8 units per acre and all mobile homes, individually metered	Dwelling unit, each	\$3,400.00

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b. ~~Hotel and motel developments will have a connection charge based upon the number of room units in the development, as follows:~~

Hotels and Motels		
Customer Class	Based on	11-1-08 and Beyond
Hotels and Motels	Room unit, each	\$2,780.00

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~~The City reserves the right to audit and confirm, within the first three years of operation, the number of room rental units in the development and adjust the initial connection charge accordingly. Subsequent audits may be conducted by the City to determine any increase in the number of room rental units that may have occurred. If any additional room rental units are discovered on subsequent audits, the increase in the number of hotel room rental units is subject to the regional connection charge in place at the time of the audit.~~

- ~~c. — Golf courses will have connection charges based upon the irrigable number of acres in the development, as follows:~~

Golf Courses Connection Charge		
Customer Class	Based on	11-1-08 and Beyond
Golf course (irrigable acres)	Acre, each	\$45,640.00

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~~Measurement for the golf course irrigable acres consists of turf only. Drip systems used for desert roughs are not included in the calculations. The City reserves the right to audit and confirm, within the first three years of operation, the number of irrigable acres in the golf course development and adjust the initial connection charge accordingly. Subsequent audits may be conducted by the City to determine any increase in irrigable acreage that may have occurred. If additional irrigable acreage is discovered on subsequent audits, the increase in irrigable acreage is subject to the regional connection charge in place at the time of the audit.~~

- ~~d. — RV parks will have connection charges based upon the number of spaces in the development as follows:~~

RV Parks Connection Charge		
Customer Class	Based on	11-1-08 and Beyond
RV Parks	Space, each	\$1,380.00

~~-~~

- ~~e. — Nonresidential developments having meters of six inches or larger will have connection charges based upon the development's annual usage in thousands of gallons, at the rates set forth as follows:~~

Nonresidential With Six Inch or Larger Meter — Excluding Hotels, Motels, Golf Courses and Industrial Laundries Connection Charge					
Customer Class	Based on	5-1-07	11-1-07	5-1-08	11-1-08 and Beyond

Nonresidential, 6" and larger—excluding hotels, motels, golf courses and industrial laundries	Annual usage (thousand gallons)	\$21.80	\$24.00	\$26.50	\$29.20
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The City reserves the right to audit and confirm, within the first three years of operation, the annual water usage of the operation and adjust the connection charge accordingly.

f. ~~Nonresidential developments having meters of less than six inches, excluding hotels, motels, golf courses and laundries, will have connection charges based upon the size of the development's meter as follows:~~

Nonresidential With Less Than Six Inch Meter—Excluding Hotels, Motels, Golf Courses and Industrial Laundries Connection Charge Per Meter						
Effective Date	5/8" × 3/4", 3/4"	1"	1½"	2"	3"	4"
11-1-08	\$4,870.00	\$9,610.00	\$19,170.00	\$64,260.00	\$237,900.00	\$353,130.00

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g. ~~Industrial laundries will have regional connection charges, in dollars, based upon meter size, as follows:~~

Industrial Laundries Connection Charge in Dollars Per Meter									
Effective Date	3/4", 5/8" × 3/4"	1"	1½"	2"	3"	4"	6"	8"	10"
11-1-08	\$76,800	\$151,460	\$302,950	\$484,700	\$969,400	\$1,514,690	\$3,029,360	\$4,846,980	\$6,967,540

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h. ~~The density for "phased" projects shall be calculated per individual set of civil improvement plans; not based upon the project as a whole.~~

i. ~~The City reserves the right to audit any development within the initial three years of operation to confirm the basis or estimate used to determine the regional connection charge and may adjust the amount of the regional connection charge based upon the results of such audit.~~

I. Apex Waterline Oversizing Fee

Any customer benefitting and receiving water service from the Apex Industrial Park water system shall be charged a connection fee of \$1,365.00 per equivalent development unit (EDU) based on the water demand calculation as follows:

Total EDU = water demand in million gallons per day * 360 days * 1,000,000 gallons/million gallons

90,000 gallons per year for one EDU

J. Connection Fee Exceptions

Payment arrangements, terms and fees for such arrangements may be considered for payment of North Las Vegas connection charges at the discretion of the Director or the designated person. Any balance of charges due may be posted in a lien against the property as a condition of approval. All costs, including interest, lien expenses and fees shall be the responsibility of the applicant.

(Ord. 2360 § 1 (part), 2007; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

13.04.040 - Community Improvement and Graffiti Removal Fee.

- A. An additional charge of seventy-five cents (\$0.75) per month is assessed to each business customer and each housing unit within the City to which water is provided.
- B. The funds generated by this additional assessment must only be used for any purpose relating to the beautification of the City.
- C. As used in this section "housing unit" means a:
 - 1. Single-family dwelling;
 - 2. Townhouse, condominium or cooperative apartment;
 - 3. Unit in a multifamily dwelling or apartment complex; or
 - 4. Mobile home.

(Ord. 2360 § 1 (part), 2007; [Ord. No. 2540](#), § 1, 5-19-2010; [Ord. No. 2700, § 1](#), 5-20-2015; Ord. No. [2843](#), § 1, 12-6-2017)

13.04.050 - Inspection Charge.

To ensure proper installation and compliance with approved plans, specifications and standards, all water main installations, hydrants, valves, laterals or other water appurtenances will be inspected by a City inspector during and upon completion of installation. Fees for such inspections are as prescribed in the effective land development service fee schedule.

(Ord. 2360 § 1 (part), 2007; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

13.04.060 - Water Use ~~Planning~~-[Reporting](#) Fees.

[NRS 540.091 requires local governmental agencies to file water use reports with the State Division of Water Resources \(NDWR\) for all new construction and additions to ~~Owners or developers of any~~ commercial or industrial projects which use 5 acre-feet or more of water per year. This statute also provides that the local governmental agency may collect a fee in association with the issuance of building permits. ~~are responsible for payment of State of Nevada imposed water use planning fees to the City.~~](#) These fees shall be based on the amount of eighty-five dollars (\$85.00) [per report](#), plus fifty cents (\$0.50) per acre foot of water, or fraction thereof, required by the project.

(Ord. 2360 § 1 (part), 2007; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

13.04.070 - Emergency Provisions.

The council may, in its responsibility of safeguarding the public health in the City, declare emergency measures to be taken to conserve the water supply of the City. Such emergency measures may include, but are not limited to: defining and prohibiting nonessential water usages; establishing usage allotments for all water users; modify water rates to encourage conservation; minimize peak load demands on the water system for the greatest public benefit with particular regard to domestic use, sanitation and fire protection; provide the district sufficient revenue to meet financial burden of emergency measures being taken to preserve and continue sufficient supply of high quality water to its consumers to avoid the necessity of even more serious rationing measures.

(Ord. 2360 § 1 (part), 2007; (Ord. No. 2499, § 1, 5-20-2009; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

Note— Formerly § 13.04.100.

13.04.080 - Unlawful to Tap Water System or Water Line.

It is unlawful for any person, company or corporation to tie to or tap in to the water system of the City or to tie onto, tap into or in any manner connect to the water line of any other person, company or corporation connected to the North Las Vegas Water System without the permission of the City. All tap-ins and all tie-ins to the water system of the City shall be approved by the Director or designee.

(Ord. 2360 § 1 (part), 2007; Ord. No. 2499, § 1, 5-20-2009; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

Note— Formerly § 13.04.110.

~~13.04.090—Penalty for Unlawful Taps.~~

~~Any person violating any of the provisions of Section 13.04.080 shall be guilty of a misdemeanor and upon conviction thereof, be punished by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment in the City jail not to exceed six months, or by both such fine and imprisonment. In addition to such fine and/or imprisonment, any person convicted of a misdemeanor violation shall pay court costs and in no case shall such costs be suspended.~~

13.04.090 – Violations.

Any person who fails or refuses to comply with any of the provisions of this chapter shall be deemed to be in violation of this title and shall be subject to discontinuance of service, subject to any penalties and charges assessed in accordance with this title or the Utility Service Rules and Regulations, and subject to all compliance procedures as prescribed within this title.

- A. Any person who negligently, recklessly or willfully introduces or causes to be introduced into the city's public water system, any pollutant or hazardous substance which such person knew, or with the exercise of reasonable due diligence would have known, could cause personal injury or system damage shall be deemed in violation of this chapter.
- B. Any person who tampers with a public water system is in violation of this chapter and United States Code 42 USC 300i-1.
- C. Any person who, without prior authorization by the city, operates, maintains, repairs, relocates, cuts, changes, removes, disconnects, repairs or interferes in any manner with the city's public water system, is in violation of this chapter.
- D. Any person or party who, with or without authorization by the city, takes actions which result in damage to any portion of the city's public water system, either directly or indirectly, is in violation of this chapter.

- E. Any person who takes water without applying for and receiving approval from the department for a service connection is in violation of this chapter.
- F. With the exception of construction phase meter set up and testing, it is prohibited to utilize spacers for the purpose of providing water service to the property.
- G. Manifolding and/or meter banking multiple meters for the purpose of reducing or avoiding service connection fees is prohibited.
- H. Any entry into city property and/or premises by an unauthorized person is prohibited and subject to enforcement procedures as outlined in this title.

13.04.095 – Corrective Actions.

When, in the opinion of the director, an existing service line becomes inadequate and/or a customer/owner has not complied with adopted standards, the city may choose to install, upgrade, and/or repair the service line with prior notifications and at the customer/owner's expense. This expense shall be billed using the department's actual costs.

(Ord. 2360 § 1 (part), 2007; Ord. No. 2499, § 1, 5-20-2009; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

Note— Formerly § 13.04.120.

13.04.100 - Damage to Water Property.

Any person or persons causing damage to water property or appurtenance belonging to the City by any willful or negligent act shall be responsible for payment of all costs for repair or replacement of such damaged property.

(Ord. 2360 § 1 (part), 2007; Ord. No. 2499, § 1, 5-20-2009; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

Note— Formerly § 13.04.130.

13.04.110 - Service Rules and Regulations.

The Director or designee shall adopt, add to, delete, interpret, modify and enforce the service rules and regulations pertaining to the operations and policies of the North Las Vegas water system.

(Ord. 2360 § 1 (part), 2007; Ord. No. 2499, § 1, 5-20-2009; [Ord. No. 2540](#), § 1, 5-19-2010; Ord. No. [2843](#), § 1, 12-6-2017)

Note— Formerly § 13.04.140.

Chapter 13.24 - WASTEWATER COLLECTION SYSTEM^[4]

Sections:

Footnotes:

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Editor's note— Ord. No. [2770](#) § 1, adopted October 5, 2016, repealed the former Ch. 13.24, §§ 13.24.05—13.28.100, and enacted a new Ch. 13.24 as set out herein. The former Ch. 13.24 pertained to similar subject matter. See the Code Comparative Table for complete derivation.

13.24.005 - Declaration of Policy.

It is hereby declared to be the policy of the City to protect the health, welfare and safety of the residents thereof by constructing, operating, and maintaining a system of sewers and liquid waste treatment and disposal facilities that service the homes and commercial and industrial establishments within the City and its environs as required by State and Federal law. The following basic principles apply to wastewater that is discharged into the system.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.010 - Definitions.

In addition to definitions in Section 13.28.020, the following words, terms and phrases, when used in this Title, shall have the meanings ascribed to except where the context clearly indicates a different meaning:

"Accessory dwelling unit" means a subordinate unit not exceeding a gross floor area of eight hundred (800) square feet, which is clearly incidental to and located within the principal building and which is permitted in association with the limited residential use for quarters of security or related personnel, owners of the unit or their immediate family members within the first degree of consanguinity or equivalent affinity.

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

"Cesspool" means an excavation in the ground that is made for receiving wastewater and is so constructed that the solid matter is retained and the liquid portion is permitted to seep away.

"Chlorine demand" means the difference between the amount of chlorine that is added to a wastewater sample and the amount that remains at the end of a thirty (30) minute period, as determined in accordance with the appropriate procedures that are set forth in 40 CFR Part 136.

"Church" means a structure primarily used for activities sponsored by a religious organization.

"City" means the City of North Las Vegas, Nevada.

"Commercial" means businesses who provide service(s) or product(s) or are connected with commerce and are not classified as residential.

"Commercial user" means any commercial business that discharges domestic wastewater and/or non-domestic wastewater into the system.

"Consumer price index (CPI)" means The Consumer Price Index (CPI), All Urban Consumers, U.S. City Average (CPI-U) as published by the U.S. Department of Labor, Bureau of Labor Statistics, Washington, D. C.

"Convalescent home" or "rest home" or "convalescent/rest home" means an establishment used or designed to provide personal and health care supervision to humans who are convalescents, invalids, aged or infirm.

"Development fees" means all of the fees collected by the City, described in Section 13.24.070 of this chapter.

"Director" means the Director of Utilities of the City or his/her authorized agent or representative.

"Domestic sewage" means wastewater from residential sources including, but not limited to wastewater from kitchen, bath, and laundry facilities; or wastewater from the personal sanitary conveniences (toilets, showers, bathtubs, fountains, noncommercial sinks and similar structures) of commercial, industrial or institutional buildings, provided that the wastewater exhibits characteristics that are similar to those of wastewater from normal residential activities.

"Dwelling unit" means any building or portion thereof which contains living facilities, including areas for sleeping, eating, cooking and sanitation, for not more than one family or a congregate residence for ten (10) or fewer persons.

"Equivalent residential unit (ERU)" means the average amount of wastewater generated by a single-family residence without a swimming pool, which has been determined to be ninety thousand (90,000) gallons per year in accordance with the "City of North Las Vegas User Charge Study, December 1980."

"Family" means an individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit.

"Fee" means any charge that is made to a user of the system and shall include without limitation occupancy fees for sewer connections by new customers, monthly sewer user charges, industrial or liquid waste permit fees, use charges, unusual industrial waste charges, testing laboratory charges, and oversize sewer charges.

"Fixture" means a device which drains into the City's POTW and includes but is not limited to the following:

- a. Bathtub (with or without overhead shower);
- b. Bidet;
- c. Combination sink and tray (with or without food disposal unit);
- d. Dental unit or cuspidor;
- e. Dishwasher, domestic;
- f. Faucet heads for water supply (which flow into a single drain or trench drain);
- g. Floor drains;
- h. Kitchen sink, domestic (with or without food waste grinder);
- i. Laundry tray (one or two compartments);
- j. Lavatory;
- k. Lavatory, barber, beauty parlor, dental, surgeon's;
- l. Shower stall, domestic;
- m. Showers (group) per head (which flow into a single drain);
- n. Sinks:
 - i. Flushing rim (with valve);
 - ii. Hand;
 - iii. Ice machine;

- iv. Mop;
- v. Pot, scullery, etc.;
- vi. Service (trap standard);
- vii. Service (protective trap);
- viii. Surgeons;
- o. Trench drain (fifteen (15) lineal feet shall be assessed as one fixture);
- p. Urinal;
- q. Urinal trough (each two-foot section shall constitute one fixture);
- r. Washing machine;
- s. Wash sink (circular or multiple), each set of faucets;
- t. Water closet, tank-operated or valve-operated;
- u. For the purpose of establishing fees, the following devices and appliances are expressly excluded from the definition of "fixture":
 - i. Air-conditioner;
 - ii. Boiler;
 - iii. Coffee urn;
 - iv. Drinking fountain;
 - v. Floor drain without direct water supply;
 - vi. Garbage disposal unit;
 - vii. Grease trap or interceptor;
 - viii. Refrigerator;
 - ix. Sampling manhole;
 - x. Sand/oil interceptor;
 - xi. Soft drink machine;
 - xii. Steam table;
 - xiii. Water softener;
 - xiv. X-ray machine.

"Frontage" means any portion of the property adjacent to a serviceable wastewater main alignment, as determined by the Director.

"Garbage" means the putrescible animal and vegetable wastes that result from the handling, preparation and dispensing of food.

"Hospital" means an establishment staffed and equipped to provide diagnosis, care and treatment of human illness or injury and which provides twenty-four (24) hour professional nursing services under the direction of one or more physicians.

"Hotel" or "motel" or "hotel/motel" means any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, for sleeping purposes by guests.

"Inflow source" means any building, structure, facility or installation from which water, other than wastewater, enters the system from sources, including without limitation roof leaders, cellar drains, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross-

connections between storm sewers and the system, catch basins, cooling towers, stormwaters, surface runoff, street wash waters and drainage.

"Industrial (non-domestic)" wastes means the liquid or solid wastes from industrial manufacturing processes, trade or business activities producing non-domestic or non-residential sewage as distinct from domestic wastewater.

"Lateral" means the wastewater service connection pipeline from a point of use to the City's wastewater main, up to and including the connection to the City's wastewater main.

"Large commercial user" means an establishment which uses more than nine million (9,000,000) gallons of water per year.

"Laundromat" means an establishment where coin-operated washing machines are provided for self-service washing by the public.

"Laundry" means an establishment where clothing, cellulose or synthetic based material is washed for remuneration.

"Man-made water feature" means any water feature that is classified under the name "man-made decorative water feature" according to the criteria established in Section 13.16.020 of this Code.

"Multifamily" means a structure containing two or more dwelling units.

"Northeast interceptor sewer fee" means a charge to be made, in addition to all other fees, to any user outside the Northern Beltway Commercial Area Special Improvement District 65 that benefits from and contribute flows to the Northeast Interceptor Sewer being assessed through the Northern Beltway Commercial Area Special Improvement District 65.

"Nuisance" means anything which is hazardous, indecent or offensive to the senses or is an obstruction to the free use of property in such a manner as to interfere with the comfortable and safe enjoyment of life and property.

"Nuisance groundwater" means any groundwater flowing naturally or discharged from a well, to the surface of the land.

"Oversizing agreement" means an agreement between a developer/customer and the City, allowing for the reimbursement of the cost difference of installing a wastewater main of a larger diameter, as required by the City, than the diameter needed by the developer/customer.

"Peak flow rate" means the periodically determined highest flow rate of wastewater, liquid waste or industrial waste that is discharged to a public sewer over a period of at least fifteen (15) minutes at any time during the measurement period.

"Person" means any individual, partnership, co-partnership, firm, company, association, joint stock company, trust, estate, society, corporation, group, government, governmental agency or other legal entity, or their legal representatives, agents or assigns. The definition includes all Federal, State and local government entities.

"Property owner" means an owner of real property, including the structure thereupon.

"Publicly owned treatment works (POTW)" means the City of North Las Vegas', City of Las Vegas' or Clark County water reclamation district's treatment works, including any sewers that convey wastewater to the POTW treatment plant, and excluding pipes, sewers or other conveyances not connected to the POTW.

"Reclaimed water" means water which, as a result of the treatment of waste matter, is suitable for a direct beneficial use or a controlled use which would not otherwise occur.

"Sampling well" means an approved opening to a building sewer to allow for sampling and flow measurement of the contents of such sewer.

"Refunding agreement" means an agreement between a developer/customer and the City allowing for the reimbursement of wastewater main connection fees collected by the City with respect to a

wastewater main extension installed by the developer/customer adjacent to property other than property owned by the developer/customer.

"Residential" means one or more rooms designed for use as living quarters for one family and having facilities for the preparation of food.

"Residential user" means any residential customer, including single-family and multifamily, that discharges domestic wastewater into the system.

"Restaurant" means a place where the primary business is serving food to the public. This definition includes restaurants located within a casino and/or motel/hotel.

"Sanitary sewer" or "collection system" means a pipe or conduit for carrying wastewater.

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

"Senior Citizen" means a person who is sixty-two (62) year of age or older, head of household and is enrolled in the Nevada Energy Assistance Program (EAP).

"Septic tank" means a watertight receptacle which receives the discharge from a building, sanitary drainage system, or any part thereof, and is designed and constructed in such a manner as to separate the solids from the liquid, digest the organic matter through a period of detention and allow the liquid to be discharged into the soil outside the tank through a system of open joint or perforated piping or a seepage pit.

"Settleable solids" means solids that will settle out of a liquid during a specific period, as determined in accordance with the appropriate procedures that are set forth in 40 CFR Part 136.

"Single-family" means one or more rooms designed for use as living quarters for one family and having facilities for the preparation of food.

"Sludge" means any wastewater of any type that is generated by a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility, other than the treated effluent from a wastewater treatment plant.

"State" means the State of Nevada, including any agency or department of state government.

"Stormwater" means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation, including snowmelt.

"Storm sewer" or "storm drain" refers to every pipe, culvert, flume, ditch, gutter, storm sewer, cistern, tank, drain, lake, pond, stream, ravine, gully or other facility or natural feature, that contains, holds, transports, diverts, channels, impounds, or drains water, into which any naturally occurring stormwater runoff within the City may seep, percolate or flow; and every street, sidewalk, alley, gutter, roof, parking lot, yard, field, driveway, patio and other surface within the City across which any naturally occurring stormwater runoff may seep, percolate or flow.

"Supplemental Losee Road sewer connection fee" means a charge to be made, in addition to all other fees, to any user benefiting from and contributing wastewater to the Losee Road sewer upstream of the intersection of Losee Road and Mendenhall Road.

"Surcharge" is an additional charge to an industrial user whose discharge waste strength is in excess of the normal domestic strength wastewater.

"Swimming pool" means any feature that is classified under that name according to the criteria established in Section 13.16.020 of this Code.

"System" means the wastewater collection and treatment system of the City and/or the treatment system of the City of Las Vegas and/or Clark County Water Reclamation District that receives wastewater from users located within the City limits and, without limitation, includes sewer service connections and all of the facilities that are used by the City for the collection, pumping, transportation, treatment and final disposal of wastewater.

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

"Trailer court" or "trailer estates" or "trailer courts/estates" means a place which is used or intended for use to park two or more trailers, mobile homes or manufactured homes for occupancy as living quarters for a family.

"User" means any person who contributes, or causes, or permits the contribution of, wastewater into the system.

"Wastewater" means the liquid and water-carried industrial or domestic wastes from residences, commercial buildings, industrial facilities and institutions, together with any infiltrating groundwater, surface water and stormwater that may be present, whether treated or untreated, which are discharged to or permitted to enter the POTW.

"Wastewater main connection fees" are those fees that are necessary to equitably prorate the expense of development and transmission of wastewater from the source to the ultimate point of disposal. These fees include the prorated share of the construction of wastewater mains, manholes, lift stations, metering devices and other necessary capital expenditures for the City's POTW.

"Wastewater main construction fees" are those assessed, prorated costs for the installation of the wastewater main and appurtenances along the frontage of the specific property. These fees are applicable where the City installs or has installed the wastewater main adjacent to the property. These fees are not assessed where the subdivider, developer and/or property owner installs the wastewater main at their expense, provided that the installed wastewater mains are inspected and accepted by the City.

"Wastewater main extension fees" means an administrative fee charged by the City for the administrative costs incurred by City staff for the initiation and processing of a refunding agreement.

"Wastewater main oversizing fees" means an administrative fee charged by the City for the administrative costs incurred by City staff for the initiation and processing of an oversizing agreement.

"Wastewater main" refers to those pipelines installed in dedicated easements or rights-of-way designed to receive tributary wastewater flows from one or more laterals.

(Ord. No. [2770](#), § 1, 10-5-2016; Ord. No. [2820](#), § 1, 12-6-2017; [Ord. No. 3038](#), § 1, 12-16-2020)

13.24.015 - Director Powers and Duties.

- A. The Director is authorized, empowered, and directed to adopt such rules, regulations and standards as may be deemed by him to be reasonably necessary in order to protect the system and to control and regulate the proper use thereof; provided, however, that the terms and provisions of such rules and regulations shall be promulgated in a manner that is reasonably calculated to result in the uniform control of the system.
- B. The Director shall administer, implement and enforce the provisions of this chapter and the standards and requirements specified in Chapter 13.28.
- C. Any time limit that is provided in any written notice from the Director or in any provision of this chapter may be extended only by a written directive of the Director.
- D. The Director may perform work of an educational nature and may, for this purpose, cooperate with civic organizations, industries, water agencies, wastewater collection and treatment agencies, and other public corporations.
- E. The Director shall have the responsibility of administering, implementing and enforcing all of the provisions of this chapter. However, any power that is granted to, or duty that is imposed upon, the Director may be delegated by him to any other person who is in the employ of the City's Department

of Utilities and may be confirmed in writing by the City Council upon any other person or persons, whether or not he or they are in the employ of the City.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.020 - Use of Septic Tank.

The use of a septic tank shall be subject to approval by the Director.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.030 - Connections Required.

- A. Every premise which abuts a street, public easement or alley in which there is an available public wastewater main, or which is within four hundred (400) feet of an available public wastewater main, shall be connected to the wastewater main, by the owner or agent of the premises, and in the most direct manner possible, and with a separate connection for each residence or building.
- B. All wastewater main extensions and appurtenant work shall conform to the standard specifications of the City and the work shall be performed to the satisfaction of the City. Connections to existing wastewater mains shall be made only in the presence of a representative of the City and at the times specified by the City. Shutting down of wastewater mains for the purpose of making connections will not be permitted.
- C. It is unlawful for any person, State and/or Federal facility to fail or refuse to connect their property to the City's POTW.
- D. It is unlawful for any person, State and/or federal facility to contribute wastewater to the City's POTW without paying all required development fees.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.040 - Maintenance and Repair of Lateral.

It shall be the responsibility of the property owner to maintain the entire lateral in a free flowing condition and to clear any blockages. The property owner is responsible for all repair work required on the portion of the lateral located on their property. It is the property owner's responsibility to demonstrate to the City that the lateral within the City's right-of-way requires repair. In the interest of public health, safety and welfare, the City will perform all repair work, for which there is a demonstrated need, on the portion of the lateral located within the City's right-of-way.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.050 - Stormwater and/or Nuisance Groundwater Source.

- A. It is unlawful for any person, State and/or Federal facility to make any new connection or to maintain any existing connection of any stormwater and/or nuisance groundwater source to any lateral and/or the system, unless approved by the Director.
- B. It is unlawful for any person, State and/or Federal facility to make any new connection or to maintain any existing connection of any lateral and/or the system to the stormwater collection system.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.060 - Specifications.

All additions and modifications to the City's POTW, such as new wastewater mains and wastewater main connections, shall be properly designed and the engineering plans shall be sealed by a professional engineer registered in the State when submitted to the City. All additions and modifications shall be constructed by a licensed contractor, and shall conform to the requirements of all applicable local, State and Federal laws, including without limitation, the provisions of the "Design and Construction Standards for Wastewater Collection Systems, Southern Nevada - 2009, 3rd Edition" adopted on March 15, 2010, and as may be amended from time to time, and shall meet the approval of the Director.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.070 - Development Fees.

- A. Wastewater Main Connection Fees. In order to fairly assess the capital expenditures for the City's POTW prior to obtaining wastewater services, property owners, subdividers, developers and builders shall pay certain wastewater main connection fees as hereinafter set forth. Such fees are in addition to other development fees required pursuant to this chapter. The following table sets forth the classification of the user of the City's POTW, the equivalent residential unit (ERU) for the unit measured and the connection fee assessed per unit.
1. For those users who, as determined by the Director introduce wastewater that will eventually reach the City Water Reclamation Facility (WRF), the following wastewater connection fees shall apply:

Classification	ERU	Unit	Connection Fee
Bars/taverns with food facilities	1.00	Each fixture	\$1,730.00
Bars/taverns without food facilities	0.65	Each fixture	1,124.00
Beauty/barber/nails/tanning shop	0.25	Each fixture	432.00
Casino	1.50	Each fixture	2,595.00
Church	0.50	Each fixture	865.00
Community/special event center	0.65	Each fixture	1,124.00
Convalescent/rest homes	0.75	Each bed	1,297.00
Custodial institution	0.65	Each fixture	1,124.00
Drug stores	0.65	Each fixture	1,124.00
Dry cleaners	1.00	Each fixture	1,730.00

Dry cleaners pick up station	0.45	Each fixture	778.00
Financial institution	0.45	Each fixture	778.00
Food sales (without cooking facilities)	0.65	Each fixture	1,127.00
Guest home (casita)	1.00	Each dwelling unit	1,730.00
Hospital	1.20	Each bed	2,076.00
Hotel/motel (rooms only)	0.60	Each room	1,038.00
Hotel/motel fixtures outside of rooms	1.50	Each fixture	2,595.00
Laundry or laundromat	0.45	Each fixture and/or machine	778.00
Limited use special event center	0.45	Each fixture	778.00
Maintenance/repair shops	0.45	Each fixture	778.00
Markets with disposals	1.00	Each fixture	1,730.00
Medical/dental/veterinarian	0.25	Each fixture	432.00
Miscellaneous business not separately rated	0.65	Each fixture	1,124.00
Motor vehicle sales (with automated motor vehicle wash)	1.00	Each fixture, stall and/or bay	1,730.00
Motor vehicle wash (self-service and automated)	1.25	Each fixture, stall and/or bay	2,162.00
Multifamily	0.70	Each dwelling unit	1,211.00
Multifamily - senior housing	0.50	Each dwelling unit	865.00
Multifamily fixtures in common areas	0.45	Each fixture	778.00
Office/warehouse	0.45	Each fixture	778.00

Offices	0.45	Each fixture	778.00
Pet grooming	0.65	Each fixture	1,124.00
Private club	0.65	Each fixture	1,124.00
Recreational vehicle parks	0.70	Each space	1,211.00
Recreational vehicle parks, fixtures other than space connections	0.45	Each fixture	778.00
Recreational water feature (each water source is a fixture)	0.65	Each fixture	1,124.00
Restaurant	1.33	Each fixture	2,300.00
Restaurant - take out only	0.45	Each fixture	778.00
Restaurant with seating under 45 seats	0.65	Each fixture	1,124.00
Retail sales	0.65	Each fixture	1,124.00
School or child care center	0.10	Each student	173.00
Service stations	0.65	Each fixture	1,124.00
Single-family	1.00	Each dwelling unit	1,730.00
Swimming pool and man-made water feature, 20,000 gallons and less	0.10	20,000 gallons	173.00
Swimming pool and man-made water feature, each additional 20,000 gallons or fraction thereof	0.10	20,000 gallons	173.00
Theaters	0.45	Each fixture	778.00
Theme parks/sports complex/athletic clubs	1.00	Each fixture	1,730.00
Townhome/condominium	0.70	Each dwelling unit	1,211.00

Trailer courts/estates	1.00	Each lot or space	1,730.00
Trailer, temporary (if connected to the system)	0.65	Each fixture	1,124.00
Vehicle wash with recycling facilities	0.65	Each fixture	1,124.00
All other businesses, unless Director determines otherwise*	0.65	Each fixture	1,124.00
Commercial laundry and/or large motor vehicle wash, or a business as determined by the Director		85% of estimated water use, divided by 90,000 multiplied by \$1,730.00	
Large commercial or as a business as determined by the Director		Annual water use, divided by 90,000 multiplied by \$1,730.00	

Note—If the Director determines that the * business does not fit any of the categories set forth and the amount set forth in "All other businesses" is insufficient for the burden placed on the system, the Director may determine a different ERU unit and/or connection fee for the business based upon the business' estimated water use or first year after connection historical data or both.

2. For those users who, as determined by the Director, introduce wastewater that will eventually reach the Clark County Water Reclamation Plant, the Clark County Water Reclamation Plant's Connection Fee will apply, and an additional fee of five hundred dollars (\$500.00) will be added as administrative services for the City.
3. Any addition to an existing use shall pay wastewater main connection fees calculated as if the addition is a use in and of itself.
4. Any multiple use development shall have wastewater main connection fees calculated on each independent use.
5. A user of any structure that is demolished in its entirety so that a new structure can be built on the underlying real property or an owner of the underlying real property can request that wastewater main connection fees paid to the city from the original structure be considered to fulfill payment responsibilities of wastewater main connection fees for the new structure depending on a predemolition inspection of the structure by the City to verify existing fixtures.
6. A user of any structure that will be demolishing fixtures so that new fixtures can be built on same property request that predemolition inspection of the structure. It shall be the property owner's or designee's responsibility to contact the City to depict all existing plumbing fixtures on the plans and perform a predemolition inspection of the original structure to verify the existing fixtures. If the structure(s) is demolished without a predemolition inspection by City staff, no credit will be granted for wastewater main connections previously paid to the City. Based on the inspection, the City will calculate the number of ERUs previously assessed to the structure(s) and the ERU rate previously paid to the structure. The calculation shall meet the approval of the Director. If the calculation demonstrates that the number of ERUs and/or the rate has increased based on the fixture counts of the new structure, the property owners or designee will be required to pay the amount of the difference for the wastewater connection fees to the City based upon the fees in effect at the time of the new building permit. However, if the calculation demonstrates that the

number of ERUs has decreased based on the fixture counts of the new structure, the City will not be required to pay the difference of the wastewater main connection fees to the property owners or designee.

7. The Director reserves the right to review and audit any user at any time. If it is determined that there is additional burden placed on the system, additional fees may be assessed and are payable to the City by the user.
8. If there is a change in the classification at the address, then the user shall pay that rate for applicable classification. If classification is at a lower rate, the City will not be required to pay the difference of the wastewater main connection fee to the user.

B. Wastewater Main Construction Fees.

1. Wastewater main construction fees are assessed to allow the City to recover prorated costs for installation of the wastewater main and appurtenances along the frontage of the property. ~~Regardless of the main size, wastewater main construction fees will be based on a minimum of twenty dollars (\$20.00) the diameter of the main per lineal front-foot of property frontage wherein the main rendering the service to the property is located~~ per the following table:-

<u>MAIN FRONTAGE FEES</u>	
<u>Diameter of Pipe</u>	<u>Assessment per lineal foot of frontage</u>
<u>Less than 8"</u>	<u>\$17.00</u>
<u>8"</u>	<u>\$20.00</u>
<u>10"</u>	<u>\$32.00</u>
<u>12"</u>	<u>\$37.00</u>
<u>14"</u>	<u>\$50.00</u>
<u>15"</u>	<u>\$56.00</u>
<u>16"</u>	<u>\$63.00</u>
<u>18"</u>	<u>\$76.00</u>
<u>20"</u>	<u>\$90.00</u>
<u>NOTE: A minimum charge shall apply to any parcel with less than 60 feet of chargeable frontage. The minimum charge will be calculated by multiplying the lineal foot rate for the size of the main times 60 feet.</u>	

~~Where a refunding agreement is in place with the City based on the actual cost of construction, wastewater main construction fees will be based on one-half of the per lineal foot installation cost of the main multiplied by the length of property fronting the main. This fee is applicable, regardless of whether the wastewater main is in existence or is to be constructed by the City. This fee is not applicable wherein the frontage main is constructed by the developer, subdivider or property owner, provided the frontage wastewater main is constructed to specifications approved by the Director and accepted by the City. However, if such a wastewater main connects to an existing wastewater main that also has frontage, the construction fees shall be assessed on the existing wastewater main.~~

2. It is assumed that all users served by City's POTW on the date of adoption of the ordinance codified in this chapter have paid the wastewater main construction fees for the parcel being served except in the case of a single improvement on a larger parcel or fronting property. The frontage presumed to have been paid for shall, in the case of residential land, be minimum frontage provided in the zoning ordinance for the land use in which the property is situated or be

calculated by measurement of the structure or structures and adding thereto the side yards required by the zoning ordinance, whichever is greater. In the case of commercial developments, the frontage presumed to be paid for is that frontage calculated by measurements of the structure plus area for driveways, fire lanes and parking area as required by the zoning ordinance. Any resident served by a private wastewater facility is not presumed to have paid a wastewater main construction fee.

C. Refunding Agreement for Wastewater Main Extensions.

1. Applicants for wastewater main extensions are responsible for payment of the entire cost of such extension, unless modified due to extenuating circumstances. ~~The~~ A portion of the actual cost of the extension may be reimbursed to the applicant through the proper execution of a refunding agreement with the City. The amount of refund is limited to those wastewater main construction fees collected on the extended wastewater main during the ten (10) years following the acceptance of the wastewater main by the City, but shall not exceed ninety-five (95) percent of the actual cost to the applicant for the wastewater main extension (less any portion of the cost applicable to any portion of the wastewater main adjacent to property owned by the applicant). Refunding agreements will be secondary to the City recouping all associated costs the City paid for oversizing any such wastewater main. ~~Refunding agreements under fifty thousand dollars (\$50,000.00) may be approved by the City Manager. Refunding agreements of fifty thousand dollars (\$50,000.00) and more must be submitted for approval by the City Council.~~ Applicants entering into any refunding agreement with the City shall pay an administrative fee of two hundred dollars (\$200.00) for the initiation and processing of the agreement.

D. Oversizing Agreement for Wastewater Main Extensions.

1. In some situations, reimbursement may be due to the developer for oversizing of wastewater mains. Participation by the City in the oversizing of the wastewater main extension shall be based on the difference in inches of the diameter of the wastewater main installed and the diameter of the wastewater main required of the developer. Reimbursements for oversizing will be effectuated through an oversizing agreement. Oversizing agreements under fifty thousand dollars (\$50,000.00) may be approved by the City Manager. Oversizing agreements of fifty thousand dollars (\$50,000.00) and more must be submitted for approval by the City Council. Applicants entering into any oversizing agreement with the City shall pay an administrative fee of two hundred dollars (\$200.00) for the initiation and processing of the agreement.

E. Any other applicable fees as stated in Chapter 2.36 of this Code entitled "administrative fees."

F. Sewer Connection Permit Fee. Prior to the connection of any property to the City's POTW, the property owner thereof shall be assessed a sewer permit fee of thirty-five dollars (\$35.00) from the City's Building Safety Division of the Community Development and Compliance Department.

G. Northeast Interceptor Sewer Fee.

1. Any customer located within the corporate limits of the City of North Las Vegas benefitting from and contributing wastewater to the Northeast Interceptor Sewer and is outside the boundaries created under the Northern Beltway Commercial Area Special Improvement District 65 shall be charged a Northeast Interceptor Connection Fee in addition to all other fees. Said fee shall be fifteen thousand seven hundred seventy-three dollars (\$15,773.00) per acre plus a percentage increase equivalent to any CPI computed increase from the sale date of the Northern Beltway Commercial Area Special Improvement District 65 bonds and shall be computed on the total acreage of the parcel being connected. Fee is due and payable at the same time the sewer connection permit is issued.
2. Any customer located outside the corporate limits of the City of North Las Vegas benefitting from and contributing wastewater to the Northeast Interceptor Sewer and is outside the boundaries created under the Northern Beltway Commercial Area Special Improvement District 65 shall be charged a Northeast Interceptor Connection Fee in addition to all other fees. Said fee shall be thirty one thousand eight hundred ninety-six dollars (\$31,896.00) per acre plus a percentage increase equivalent to any CPI computed increase from the sale date of the Northern Beltway

Commercial Area Special Improvement District 65 bonds and shall be computed on the total acreage of the parcel being connected. Fee is due and payable at the same time the sewer connection permit is issued.

- H. Supplemental Losee Road Sewer Connection Fee. Any customer benefitting from and contributing wastewater to the Losee Road sanitary sewer upstream of the intersection of Losee Road and Mendenhall Road shall be charged a supplemental Losee Road sewer connection fee of three hundred fifty-four dollars (\$354.00) per equivalent residential unit (ERU) based on the total fixture units as calculated pursuant to Section 13.24.070, subsection A. in addition to all other fees. Fee is due and payable at the same time the sewer connection permit is issued.

I. Connection Fee Exceptions.

Payment arrangements, terms and fees for such arrangements may be considered for payment of North Las Vegas connection charges at the discretion of the Director or the designated person. Any balance of charges due may be posted in a lien against property as a condition of approval. All costs, included interest, lien expenses and fees shall be the responsibility of the applicant.

(Ord. No. [2770](#), § 1, 10-5-2016; Ord. No. [2820](#), § 3, 12-6-2017; [Ord. No. 3038](#), § 3, 12-16-2020)

13.24.080 - Schedule of Fees.

- A. All users of the City's system shall be charged a monthly service fee plus a user fee. Rates are published on the City's web site. Hard copies can be requested through the Utilities Department.
1. All single-family accounts shall be based on actual water usage with a maximum of eight thousand (8,000) gallons per month. All multifamily accounts shall be based on actual water usage with a maximum of six thousand (6,000) gallons per unit per month.
 2. If a large commercial user can demonstrate that its entire metered water usage is not consumptive (discharged back to the system), adjustments may be considered on a case-by-case basis for representative wastewater volume discharged to the POTW. Any adjustments to the user fee are subject to the approval of the Director.
 3. Monthly sewer service fee for senior citizens as defined in this chapter that are the responsible party on the utility bill will be reduced by fifty (50) percent of the current fee. To qualify for the senior citizen discount, applicant must be enrolled in the Nevada Energy Assistance Program (EAP), as defined by the Nevada Division of Welfare and Supportive Services, or a similar program as approved by the Director. Participants in this program are required to re-qualify annually. Proof of age and enrollment shall be required.

In addition, each year thereafter on October 1 the rates will be increased by a minimum of three percent. Rate increases above three percent shall require approval by City Council.

4. Unless metered separately, accessory dwelling units shall be billed at the same rate as the primary building use.

(Ord. No. [2770](#), § 1, 10-5-2016; Ord. No. [2820](#), § 4, 12-6-2017)

13.24.090 - Billing, Payment, Collection and Liens.

All bills and fees for services rendered hereunder shall be sent out monthly as a part of the water bill pursuant to Section 13.04.020. All portions of Section 13.04.020 relating to billing procedure, liens, deposits and deposit refunds apply to wastewater bills. In all cases the property owner or owners shall be liable for all wastewater services imposed herein. Bills for water furnished, wastewater service system fees charged pursuant to Section 13.24.080, pretreatment program cost recovery fees charged pursuant

to Section 13.28.40 and garbage pickup and disposal are jointly billed. Failure to pay for any one of the water services billed shall constitute default on all of the water services. All fees due shall be a debt and obligation for the person or persons using these services, and the fees due for water services billed shall constitute a lien against the premises served. Such person using these services or property owner whose property is furnished these services shall be liable therefore in any action commenced by the City for the recovery of such fees in any court of competent jurisdiction.

(Ord. No. [2770](#), § 1, 10-5-2016; Ord. No. [2820](#), § 2, 12-6-2017)

13.24.100 - Violation—Penalty.

Any person, State and/or Federal facility who violates any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Each separate day during which any violation of this chapter occurs or continues constitutes a separate offense.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.110 - Severability; Effective Date.

The ordinance from which this section derives will become effective after its passage by the City Council of the City of North Las Vegas and, after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of NRS Chapter 238, as amended from time to time. If any section, paragraph, clause or provision of the ordinance from which this section derives shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no way affect the validity and enforceability of the remaining provisions of the ordinance from which this section derives.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.120 - Publication.

The City Clerk shall cause the ordinance from which this chapter derives, immediately following its adoption, to be published once by title, together with the names of the councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of NRS Chapter 238, as amended from time to time.

(Ord. No. [2770](#), § 1, 10-5-2016)

13.24.130 - Service Rules and Regulations.

The Director or designee shall adopt, add to, delete, interpret, modify and enforce the service rules and regulations pertaining to the operations and policies of the North Las Vegas sewer system.

([Ord. No. 3038](#), § 2, 12-16-2020)

**CITY OF NORTH LAS VEGAS
UTILITIES DEPARTMENT
Business Impact Statement
Ordinance Nos. 3076 and 3077**

AMENDMENTS TO THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AMENDING CHAPTER 13.04 AND 13.24 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO MAKE VARIOUS CHANGES RELATIVE TO DEFINITIONS AND FEES, AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

Upon request, a copy of this Business Impact Statement may be obtained from the City of North Las Vegas City Clerk's Office. Requests should be sent to:

City of North Las Vegas
City Clerk
2250 Las Vegas Boulevard North, Suite 800
North Las Vegas, NV 89030

Description of the Proposed Ordinance:

The City of North Las Vegas (City) has proposed amendments to the City's Municipal Code, Title 13, Chapter 13.04 and 13.24 that establish a new "Apex Water Connection Fee" to any new or existing water customer that will benefit and receive service from the Apex Industrial Park water system and updates other fees in accordance with previous actions or to reflect current standard rates.

Planning, design, and construction of water backbone infrastructure for the Apex Industrial Park was initiated in April 2018 with the approval of a water oversizing agreement to oversize a developer-funded project to construct an 8-inch water system to serve two sub-parks in the industrial park. The City desired to increase capacity to provide for development of all of the Apex Industrial Park. The total estimated cost of the oversized project is \$65.9 million with the developer contributing an estimated \$11.7 million toward the project. The City's costs are estimated at \$54.2 million plus another \$5 million to extend power to the pumping stations and storage reservoirs for a total of \$59.2 million. The oversized water project consists of an estimated 19,400 linear feet of 36-inch water line, 39,200 linear feet of 24-inch water line, three pumping stations, and three reservoirs.

The "Apex Water Connection Fee" will be \$1,365 per equivalent development unit (EDU) based on the total water demand as calculated pursuant to City development standards in addition to all other fees. The cost recovery fee is due and payable at the same time the water connection permit is issued or in accordance with payment terms approved by the Director to coincide with the filing of a lien against the property for the balance of the fee. The fee was calculated as follows:

CNLV Industrial Demand Factors

Average Day Demand (gallons per min/acre)	1.1
Maximum Day Demand (gallons per min/acre)	1.5
Peak Hour Demand (gallons per min/acre)	2.3

Project water demands:

Average Day Demand (million gallons per day)	11.92
Maximum Day Demand (million gallons per day)	16.25
Peak Hour Demand (million gallons per day)	24.92

Total EDU's are calculated as follows:

Total EDU = $\frac{\text{water demand in million gallons per day} * 360 \text{ days} * 1,000,000 \text{ gallons/million gallons}}{90,000 \text{ gallons per year for one EDU}}$

Estimated total ERU's for Apex = 47,680 EDU's Total City investment = \$59.2 million Basic connection fee = \$1,241 per EDU Administrative Fee (10%) = \$124 per EDU	Total Connection Fee = \$1,365 per EDU
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In addition to the change pertaining to the Apex Water Connection Fee, the charges for water meters and components in North Las Vegas Municipal Code (NLVMC) 13.04.030(A)(1) have been revised to actual cost plus 15% rather than charges ranging from \$175.00 for the ¾" size to actual cost plus \$125.00 per register for 2" or greater size.

The water construction charges in NLVMC 13.04.030(D) have been updated to reflect assessments of \$17.00 per lineal foot of frontage for pipes with less an 8" diameter up to \$90.00 per lineal foot of frontage for pipes with a diameter of 20". Previously, the provision provided that water construction charges would be based on a minimum of \$18.00 per lineal foot of property frontage. Similarly, the wastewater main construction fees have been updated in NLVMC 13.24.070(B) so that the fees will be based on the diameter of the main per lineal foot of property frontage (assessments range from \$17.00/lineal foot for a pipe a with a diameter less than 8" up to \$90.00/lineal foot for a pipe with a diameter of 20") rather than a fee of \$20.00 per lineal foot of property frontage.

Further changes in the proposed ordinances include the following:

- References to Southern Nevada Water Authority regional charges have been updated;
- Revised language for code violations; and
- Updated hydrant and mobile meter guidelines.

For your reference you may obtain copies of proposed Ordinance Nos. 3076 and 3077 at the following website: http://www.cityofnorthlasvegas.com/departments/utilities/util_prop_ord_chgs.php

Intent of the Proposed Ordinance:

The intent of the proposed ordinance is to insure there is adequate water supply to the Apex Industrial Park water system to accommodate future development and investments in the area without burdening existing customers with the cost. The City has undertaken waterline oversizing to provide service to this area, and these charges are a cost recovery effort for the infrastructure costs. The additional changes serve to clarify references to Southern Nevada Water Authority charges and to update other water and sewer guidelines.

Description of the manner in which public comments, data and/or arguments were solicited from affected businesses:

A Business Impact Notification was published in the Las Vegas Review Journal on March 24 and 28, 2021. Additionally, notices were sent to local development associations and developers.

Summary of public comments, data or arguments received:

Two emails were received regarding the proposed changes; staff addressed the questions with no additional comments received.

Estimated economic effect of the proposed ordinance on businesses:

The proposed ordinance will create a "Apex Water Connection Fee" for any new or existing water customers in the Apex Industrial Business Park that will connect to the City's water distribution network. Said fee will be \$1,365 per equivalent development unit (EDU) based on the total water demand as calculated pursuant to City development standards in addition to all other fees.

Explanation of a new fee, or increase to an existing fee, including a projection of the annual revenue expected to be collected and the manner in which the revenue will be utilized:

The fees collected for the Apex Water Connection Charge under Ordinance Nos. 3076 and 3077 will only be collected by parcels connecting to the Apex Water System. There is currently no projection on annual revenues expected from this fee. All fees collected will be used to reimburse the City's share of the cost to oversize the developer water lines and facilities.

The water and sewer frontage construction charges have been increased to reflect actual costs. Although, there is no projection on an annual revenue expected from these fees. They will be allocated to the reimbursement of new sewer and water line costs previously expended by the City or by other developers under reimbursement agreements. Please note that when the improvements are actually constructed by the developer, a water and/or sewer frontage construction charge is not collected.

Assessment of provisions of the proposed ordinance, which may duplicate or are more stringent than Federal, State or local standards regulating the same activity:

The proposed ordinance does not duplicate nor is it more stringent than Federal, State or local standards regulating the same activity. The water and sewer frontage construction charges are similar to those charged in the city of Henderson and other jurisdictions.

Description of the methods that local government considered to modify the proposed ordinance; or otherwise reduce the impact of the proposed ordinance on businesses, and a statement of the methods used:

The proposed changes were developed to allow development to bear its own cost. Although two emails were received with questions regarding the changes, no comments were received indicating any direct or significant economic burden on businesses. The fees proposed for potential customers are based on the cost to construct additional water capacity within the Apex Water System and are reflective of the cost of development. As well, the water and sewer frontage construction charges are also reflective of the cost of development.

Reasons for the conclusions regarding the impact of the proposed ordinance change on businesses:

Although there will be an impact on businesses connecting to the Apex Water System, the costs are in line with construction costs to construct new water infrastructure. Apex businesses will benefit from favorable bids received at the time of actual construction, which are less than originally estimated or less than what future developers would expect to pay for similar capacity improvements. And with regard to the water and sewer connection charges, the cost is in lieu of developers constructing new improvements at the time of development and serves as reimbursement for water and sewer construction costs undertaken by other developers or by the City.

Certification of Business Impact Statement:

I certify that, to the best of my knowledge or belief, the information contained in this Business Impact Statement was prepared properly and is accurate.

Ryann Juden, City Manager

Date