BILL NO. 2022-20

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE LVMC 14.04.030 AND 14.04.210 TO IMPLEMENT INCREASES IN SEWER SERVICE CHARGES AND SEWER CONNECTION FEES, INCLUDING SUBSEQUENT FOUR PERCENT ANNUAL FEE INCREASES AND ANNUAL CONSUMER PRICE INDEX INCREASES THROUGH CALENDAR YEAR 2032; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Jorge Cervantes, City Manager

Summary: Updates LVMC 14.04.030 and 14.04.210 to implement increases in sewer service charges and sewer connection fees, including subsequent four percent annual fee increases and annual Consumer Price Index increases through calendar year 2032.

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

SECTION 1: Title 14, Chapter 4, Sections 30 and 210, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

SECTION 2: Title 14, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 14.04.030, reading as follows:

14.04.030: (A) The annual charge rate per ERU for a particular user shall be as set forth below (which includes the five percent assessment fee pursuant to Section 14.04.130):

User Category	**Annual charge per ERU commencing January 1, 2023 through December 31, 2023**
Domestic Strength	$289.12
High Strength Users:	
Bottlers	$408.63
Dairies	$378.92
Restaurants with garbage grinders	$544.90
Laundries	$382.15

(B) Commencing January 1, 2024, the charge rate per ERU set forth in Subsection (A) shall be increased by:

(1) Four percent, plus

(2) An amount equal to the charge rate of the preceding fiscal year (as actually implemented) multiplied by the lesser of five percent or the average percentage for the preceding five years of increase in the Consumer Price Index for All Urban Consumers for All Items, U.S. City Average (1967=100) that is published by the Bureau of Labor Statistics, United States Department of Labor.

(C) On January 1, 2025, as well as January 1st of each year thereafter up to and including January 1, 2032, the charge rated per ERU shall again be increased in the same manner as set forth in Subsection (B).

(D) Notwithstanding the provisions of Subsections (B) and (C), the City Manager may elect to forgo any annual increase described in those Subsections upon a determination that to do so is in the best interest of the City. Such election shall be by means of written notice to the Chief Financial Officer.

SECTION 3: Title 14, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 14.04.210, reading as follows:

14.04.210: Subject to the annual evaluations provided for in Section 14.04.220, connection fees within the City shall be determined as follows:

(A) User's class is determined.

(B) According to ERU schedule the number of ERU's for the user is determined.

(C) Commencing January 1, 2023, the occupancy fee for sewer connections is calculated by multiplying the number of ERU's by two thousand five hundred fifty-one dollars.

(D) Commencing January 1, 2024, the occupancy fee for sewer connections set forth in Subsection (C) shall be increased by:

(1) Four percent, plus

(2) An amount equal to the charge rate of the preceding fiscal year (as actually implemented) multiplied by the lesser of five percent or the average percentage for the preceding five years of increase in the Consumer Price Index for All Urban Consumers for All Items, U.S. City Average (1967=100) that is published by the Bureau of Labor Statistics, United States Department of Labor.

(E) On January 1, 2025, as well as January 1st of each year thereafter up to and including January 1, 2032, the occupancy fee for sewer connections shall again be increased in the same manner as set forth in Subsection (D).

SECTION 4: This Ordinance shall become effective on January 1, 2023.

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

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2022.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 7-18-22
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2022, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2022, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk