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3349008

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MONTH

Table with 31 columns (1-31) and 2 rows (March, empty). 'x' marks are present in columns 4 and 11.

PROOF OF PUBLICATION

STATE OF NEVADA,
COUNTY OF WASHOE

SS.

Doris Mertz

being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice of County Ordinance

of which a copy is hereto attached, was first published in said newspaper in its issue dated the

4th day of Mar, 19 85 and, Mar 11, the full period of 2 days, the last publication thereof being in the issue of March 11 19 85.

Signed

Doris Mertz (handwritten signature)

Subscribed and sworn to before me this

11th day of March, 1985

Alice L. Buffalo (handwritten signature)
Notary Public

NOTICE OF COUNTY ORDINANCE
NOTICE IS HEREBY GIVEN that Bill No. 811, Ordinance No. 638, entitled "An ordinance amending Washoe County Ordinance No. 624 by adding provisions required by Environmental Protection Agency," was adopted on February 26, 1985, by Commissioners King, Lillard, McDowell, Ritter and Williams. Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
Judi Bailey
County Clerk
3349008-Bill #811
Mar. 4.11-lmd133

ALICE L. BUFFALOE
Notary Public - State of Nevada
Washoe County
My Appointment Expires June 5, 1985

SUMMARY: Amends Lemmon Valley Service Area Ordinance in accordance with regulations of Environmental Protection Agency.

BILL NO. 811

ORDINANCE NO. 638

AN ORDINANCE AMENDING WASHOE COUNTY ORDINANCE NO. 624 BY ADDING PROVISIONS REQUIRED BY ENVIRONMENTAL PROTECTION AGENCY

THE BOARD OF WASHOE COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN;

Section 1. Article I of Ordinance 624 is hereby amended to read as follows:

ARTICLE I. GENERAL PROVISIONS

1. Short Title. This ordinance may be cited as "Lemmon Valley Sewer Service Area Sewer Service Charge Ordinance".
2. Enabling Statutes. This ordinance is adopted pursuant to NRS 244.157 and 318.199.
3. Enterprise. The County will furnish a system used for the collection of domestic and industrial wastewater, including all parts of the enterprise, all appurtenances thereto, and lands, easements, rights in land, contract rights and franchises.
4. Separability. If any section, subsection, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstances is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared to be unconstitutional.
5. Relief on Application. When any person by reason of special circumstances, is of the opinion that any provision of this ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board stating the special

circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

6. Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for any such premises during the period of such special circumstances, or any part thereof.
7. Billing Authority. The County shall send out bills for sewer service used for which no payment has been received. The County shall use these current rates for determining the payments used.
8. Annual Notification. The County shall notify each user, at least annually, the rate and the portion of the user charges which are attributable to wastewater treatment services. Notification shall be in conjunction with a regular bill or other means acceptable to the regional administrator of the Environmental Protection Agency.

Section 2. Article III of Ordinance 624 is amended to read as follows:

#### ARTICLE III. CONNECTION

1. Work To Be Inspected. All sewer construction work shall be inspected by the Department of Public Works, Utility Division, to insure compliance with all requirements of the Lemmon Valley Sewer Service Area. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to the Lemmon Valley sewer system until all work has been completed, inspected, approved and accepted by the Department of Public Works, Utility Division.

2. Deposit for Service. All new applicants or customers shall deposit \$50.00 at the time of application for service. At the end of one year of service, if all accounts have been kept current, the amount of the deposit shall be credited to the next month's bill or refunded. An application for service will not be granted unless full payment has been made for sewer services

previously rendered to the applicant or customer by the County.

[1.] 3. Connection Charges. The following charges are hereby established and shall be collected prior to final map approval by the Board or at the time of issuing the permit for a sewer connection whichever occurs first:

- A. Single Family Unit. Persons desiring connection to the sanitary sewer system of the Service Area shall pay to the County a connection charge of \$1,500. This \$1,500 connection fee shall entitle the new sewage system customer up to 400 lineal feet of collection line extension, a service wye, and a service lateral to the new customer's property line. New customers which require a collection line extension in excess of 400 lineal feet shall pay the actual cost of collection line extension which is in excess of 400 lineal feet.
- B. Commercial Unit - All Classes. Persons desiring connection to the sanitary sewer system of the Service Area shall pay to the County a connection charge based on the weighted fixture unit residential equivalent of the premises, where a residential equivalent is 25 weighted fixture units. A minimum connection fee shall be \$1500 with an additional \$60 per weighted fixture unit for all units in excess of 25. This connection fee of \$1,500 plus \$60 for each weighted fixture unit in excess of 25 shall entitle the new sewage system commercial customer up to 400 lineal feet of collection line extension, a service wye, and a service lateral to the commercial establishment's property line. New commercial customers which require a collection line extension in excess of 400 lineal feet shall pay the actual costs of collection line extension which is in excess of 400 lineal feet.

Section 3. Article IV of Ordinance 624 is hereby amended to read as follows:

#### ARTICLE IV. USER CHARGE SCHEDULE

1. User Charge System Based on Actual Use. Each user or user class shall pay its proportionate share of operation and maintenance costs of treatment works within the Lemmon Valley Service Area, based on the user's proportionate contribution to the total wastewater loading from all users or user classes.

[1.] 2. Service Charges. Any users of the Service Area's sewerage facilities shall pay to the County a sewer service charge in accordance with the following schedule:

- A. Residential User. For each family occupying a single family unit the following charges shall

apply:

- (1) Single Family Unmetered - \$55.35 per quarter.
- (2) Multiple Family Units (per unit) - \$55.35 per quarter.

B. Commercial Units - All Classes.

(1) Sewer service fees for commercial users which employ outside water uses such as irrigation or vehicle washing, which does not enter the sewer system, shall be determined by water meter records which exclude such outside uses. Where facilities for measuring outside water usage are not available the commercial user shall be billed on total water usage based on the following schedule.

(2) Basic and Minimum Charge - \$55.35 per quarter, plus

(3) For each 100 gallons in excess of 3,000 gallons as measured by the water meter per quarter - \$0.10 per 100 gallons.

(4) Any applicable surcharge as determined under (D), Extra Strength Waste.

(5) In the event the commercial water use is not metered, the quarterly sewer service charge for a commercial establishment shall be based upon the establishments number of fixture units. A charge of \$55.35 per quarter shall be a minimum and shall be the charge for up to 25 fixture units. Each fixture unit in excess of 25 shall have a charge of \$2.25 per quarter associated with it.

C. Industrial Units. For users in this category the following schedule of charges shall apply:

Note: The Basic and Minimum Charge assessed in this category contemplates the following factors: (a) 1,000 gallons per month, or less and (b) domestic waste discharge with a five-day average BOD of 240 mg/l, or less; an average suspended solids of 170 mg/l, or less; a total phosphorus as P of 11.0 mg/l, or less; and a total Nitrogen as N of 26.0 mg/l or less.

(1) Sewer service fees for industrial users which employ outside water uses such as irrigation or vehicle washing which does not enter the sewer system shall be determined by water meter records which exclude such outside uses. Where facilities

to measure outside water uses are not available, the industrial user shall be billed on total water usage based on the following schedule.

(2) Basic and Minimum Charge - \$55.35 per quarterly, plus

(3) For each 100 gallons in excess of 3,000 gallons per month - \$0.10 per month, plus

(4) A surcharge which shall be calculated as follows:

$$\begin{aligned} \text{Surcharge} = & \left[ \left( \text{BOD} - \text{BOD} \right) \times V \times 8.34 \times 30 \times \right. \\ & \left. \$0.069/\text{lb of BOD} \right] + \\ & \left[ \left( \text{SS} - \text{SS} \right) \times V \times 8.34 \times 30 \times \$0.063/\text{lb} \right. \\ & \left. \text{of SS} \right] + \\ & \left[ \left( \text{P} - \text{P} \right) \times V \times 8.34 \times 30 \times \$0.993/\text{lb} \right. \\ & \left. \text{of P} \right] + \\ & \left[ \left( \text{N} - \text{N} \right) \times V \times 8.34 \times 30 \times \text{C} \right] \end{aligned}$$

Where:

- I = Industrial/Commercial Wastewater
- D = Local Domestic Wastewater
- C = Total Cost for Specific Parameter (\$/lbs./day) as determined by the County Sanitary Engineer.
- V = Wastewater Flow (MGD)
- BOD = BOD (mg/l)
- SS = Suspended Solids (mg/l)
- P = Total Phosphorus as P (mg/l)
- N = Total Nitrogen as N (mg/l)
- [] = Never less than zero

There is currently no charge for nitrogen removal because it is not a discharge requirement at the time of this writing. A surcharge will be developed for industrial/commercial nitrogen when nitrogen removal becomes a part of the treatment process.

plus

(5) A surcharge for any other component of the wastewater which is identified by the County Sanitary Engineer as causing an increased cost of collection, treatment, disposal and administration. The amount of the surcharge shall be determined by the County Sanitary Engineer and shall not exceed the proportional amount of increased cost of collection, treatment disposal and administration attributable to the wastewater component.

(6) In the event the industrial water use is not metered, the quarterly sewer service charge for a industrial establishment shall be based upon the establishments number of fixture units. A charge of \$55.35 per quarter shall be a minimum and shall be the charge for up to 25 fixture units. Each fixture unit in excess of 25 shall have a charge of \$2.25 per quarter associated with it.

D. Extra Strength Waste. If the waste discharged by a commercial or residential user is determined by the County Sanitary Engineer to have strength or characteristics which exceed that of domestic wastewater or causes increased costs as described in (C) above, the user shall be regulated and charged as an Industrial Unit.

E. Failure to Receive Bill. Failure to receive a bill does not relieve a customer of the obligation to pay for services received.

F. Checks Not Honored by Bank. Checks presented in payment of bills which are returned by a bank shall be treated as though no payment has been made. Redemption of returned checks may be required to be by cash or equivalent. The customer shall reimburse the County for any returned check fees charged by a bank to the County.

G. Checking Fee.

1. Any applicant, customer or developer requiring approval of plans by the County, or desiring plan checking shall pay to the County the following fee or fees.

A minimum of \$200 plus \$5 per lot for all lots in excess of 40 within the subdivision.

2. If any portion of the plans after being checked are required to be redrawn or rechecked, the applicant shall pay the additional cost of checking based upon the actual expenses of the rechecking service. No plan checking will be done until the required fee is paid.

3. In the case of rechecking, the fee shall be based upon an estimated cost of the service, and payment in excess of costs will be returned to the applicant.

H. Structure Under Construction. For the purposes of this ordinance, until a structure has installed

plumbing fixtures the structure shall be considered under construction and disconnected from the sewer system of the District. No charges otherwise provided herein will be accrued during this period.

- I. Review of Sewer Service Charges. The Board shall annually review the service charges set out in Article III and IV and determine that the charges are adequate to meet the costs of operating the wastewater treatment facility.

3. Charge For Operation And Maintenance Costs For Extraneous Flows. The operation and maintenance costs attributable to infiltration and/or inflow will be apportioned among all users in the same manner that the sewer user charges are apportioned.

Section 4. Article V of Ordinance 624 is hereby amended to read as follows:

#### ARTICLE V. BILLING AND COLLECTION

1. Billing. The regular billing period will be for a ninety (90) day period for all residential customers and thirty (30) days for all other customers.

2. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be prorated based on actual days of connection.

3. Billing Time. Bills for sewer service shall be rendered at the beginning of each billing period and are payable upon presentation. Bills rendered pursuant to this ordinance shall be for service provided, irrespective of the effective date of the ordinance.

4. Penalties. Accounts not paid within 30 days of presentation are delinquent and shall be charged a ten dollar (\$10.00) late payment processing fee plus a penalty of 15% Annual Percentage Rate on the outstanding balance. Accounts of Customers who pay at least one-third of their total quarterly bill within thirty days of receipt of the bill, one-half of the balance within the next thirty days, and the balance within the last thirty days shall be exempted from any penalties.

5. Responsible Party. The occupant of the parcel receiving sanitary sewer service shall be billed for the service at the beginning of each billing period. In the case where the occupant is not the owner of the parcel, and payment is not made in a timely manner, as prescribed by this ordinance, the owner of record will be notified as to the tenant's non-payment and it shall become the owner's responsibility to bring payment current or such unpaid bills shall represent a lien on the parcel.



[5.] 6. Represents Lien on Property. Until paid, all rates, tolls and charges provided in this ordinance constitute a perpetual lien on and against the property served and may be foreclosed upon as provided by law.

[6.] 7. Collection by Suit. As an alternative to any of the other procedures herein provided, the County may bring an action against the customer for the collection of the amount of the delinquent rate and all penalties and costs of collection including a reasonable attorney's fee.

Section 5. Article VII of Ordinance 624 is hereby amended to read as follows:

#### ARTICLE VII. DISCONNECTION

1. Customer's Request for Discontinuance of Service. A Customer may have service discontinued by giving not less than five (5) days advance notice thereof to the County. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required five (5) days advance notice.

When such notice is not given, the Customer will be required to pay for service until five (5) days after the County has knowledge that the Customer has vacated the premises or otherwise has discontinued sewer service.

2. Discontinuance of Service by County.

A. For Nonpayment of Bills. A Customer's service may be discontinued for nonpayment of a bill for service furnished if the bill is not paid within fifteen (15) days after presentation, provided the County has given the Customer at least five (5) days prior notice of such intention.

Premises to which charges have become delinquent may be disconnected from the sewer system. The County shall estimate the cost of disconnection of such premises and the cost of reconnection thereto, and such user shall deposit the cost as estimated of disconnection and reconnection before such premises are reconnected to the sewer system. The amount of the cost of disconnection and reconnection over the deposit shall constitute a charge and be collected as such. The amount of the deposit not used shall be repaid or applied as a deposit.

B. For Noncompliance with Rules. The County may discontinue service to any Customer for violation of these rules after it has given the Customer at least five (5) days written notice of such

intention. Where safety of water supply is endangered, or the discharge to the sewer is dangerous to public safety, service may be discontinued or curtailed immediately without notice.

- C. For Infiltration or Illegal Connections. Where negligence, infiltration, illegal connection or discharge of harmful wastes into the collection system, on or from a Customer's premises occurs, the County may make such corrections as may be indicated at Customer's expense, if such practices are not remedied within five (5) days after it has given the Customer written notice to such effect.
- D. For Unsafe Apparatus or Where Service is Detrimental or Damaging to the County or its Customers. If any unsafe or hazardous condition is found to exist on the Customer's premises, or if the sewage or waste therefrom, by apparatus or illegal or prohibited connections, apparatus, equipment or otherwise, is found to be detrimental or damaging to the County or its Customers, the service may be discontinued without notice. The County will notify the Customer immediately of the reasons for the discontinuance and the corrective action to be taken by the Customer before service can be restored.

(1) Types of Wastes Prohibited. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

b. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

c. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the

sewage works.

d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- E. For Fraudulent Use of Service. When the County has discovered that a Customer has obtained service by fraudulent means, or has altered the sewer service for unauthorized use, the service to that Customer may be discontinued without notice. The County will not restore service to such Customer until that Customer has complied with all filed rules and reasonable requirements of the County and the County has been reimbursed for the full amount of the service rendered and the actual cost that the County incurred by reason of the fraudulent use.

3. Restoration of Service.

- A. To be Made During Regular Working Hours. The County will endeavor to make reconnections during regular working hours on the day of the request, if conditions permit; otherwise, reconnection will be made on the regular working day following the day the request is made.
- B. To Be Made At Other Than Regular Working Hours. When a Customer has requested that the reconnection be made at other than regular working hours, the County will reasonably endeavor to so make the reconnection if practicable under the circumstances, but will be under no obligation to do so, unless an emergency exists.

4. Refusal to Serve.

- A. Conditions for Refusal. The County may refuse an Applicant for service under the following conditions:
- (1) If the Applicant for service is not within the boundaries of the Service Area.
  - (2) If the intended use of the service is of such a

nature that it will be detrimental or injurious to existing Customers.

- (3) If the Applicant fails to comply with any of the rules as approved by the Board.
- (4) If, in the judgment of the County, the Applicant's installation for utilizing the service is unsafe or hazardous or subject to freezing, or flooding, or of such nature that satisfactory service cannot be rendered.
- (5) Where service has been discontinued for fraudulent use, the County will not serve an Applicant until it has determined that all conditions of fraudulent use or practice have been corrected.
- (6) When the collection lines or treatment facilities do not have capacity or the capability to receive and treat sewage or liquid waste without contamination of the ground or surface waters of the Lemmon Valley Basin, or in violation of Health Department requirements.
- (7) If the County's leased capacity at the Plant has been allocated, and additional capacity cannot be obtained.

- B. Notification to Customers. When an Applicant is refused service under the provisions of this rule, the County will notify the Applicant promptly of the reason for the refusal to serve and of the right of the Applicant to appeal the County's decision to the Board.

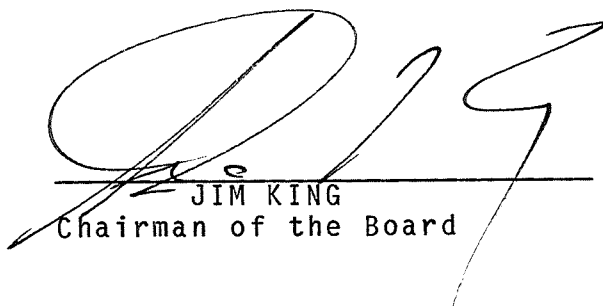
Proposed on the 15th day of January, 1985.

Proposed by Commissioner/s Ritter.

Passed on the 26th day of February, 1985.

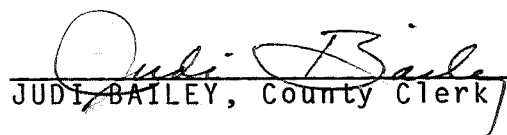
Vote:

Ayes:	Commissioners: King, Lillard, McDowell, Ritter & Williams
Nays:	Commissioners: None
Absent:	Commissioners: None



JIM KING  
Chairman of the Board

ATTEST:



JUDI BAILEY, County Clerk

This ordinance shall be in force and effect from and after the  
11th day of March, 1985.