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RENO GAZETTE-JOURNAL

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STATE OF NEVADA
COUNTY OF WASHOE

ss: Julia Ketcham

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:

Ordinance 1175

has published in each regular and entire
issue of said newspaper on the following
dates to wit:

Nov. 29 Dec. 6, 2002

Signed: *Julia Ketcham*

Subscribed and sworn to before me this

DEC 11 2002

Tana Ciccotti

PROOF OF PUBLICATION

**NOTICE OF ADOPTION
WASHOE COUNTY
ORDINANCE NO. 1175**

NOTICE IS HEREBY GIVEN
THAT: Bill No. 1353, Ordinance No. 1175 entitled


AN ORDINANCE AMENDING
THE SCHEDULE OF RATES
AND CHARGES FOR PROVISION
OF RECLAIMED WATER
SERVICE, RETROACTIVELY TO
SEPTEMBER 1, 2002, BY ADDING
SECTIONS FOR CHARGES FOR
OVERUSAGE AND TEMPORARY
EMERGENCY SERVICE AND
PROVIDING PROCEDURES FOR
ITS ENFORCEMENT.

was adopted on November 26,
2002 by Commissioners Bond,
Galloway, Shaw and Short.
This ordinance shall be in full
force and effect from and after
December 6, 2002.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

AMY HARVEY, Washoe County
Clerk and Clerk of the Board
of County Commissioners

No.4230 Nov 29; Dec 6, 2002

 TANA CICCOTTI
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 02-75259-2 - Expires May 16, 2006

DEC 18 2002

SUMMARY: Amends the schedule of rates and charges for provision of reclaimed water service, retroactively to September 1, 2002, by adding sections for charges for overusage and temporary emergency service and providing procedures for its enforcement.

BILL NO. 1353

ORDINANCE NO. 1175

AN ORDINANCE AMENDING THE SCHEDULE OF RATES AND CHARGES FOR PROVISION OF RECLAIMED WATER SERVICE, RETROACTIVELY TO SEPTEMBER 1, 2002, BY ADDING SECTIONS FOR CHARGES FOR OVERUSAGE AND TEMPORARY EMERGENCY SERVICE AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT.

Adopted 11/26/02

Ordinance Amending Ordinance 1038
Adding Charges for Overusage and Temporary Emergency Service

5.23 Charges for Overusage

Each customer shall have established the amount of annual demand in acre-feet of reclaimed water service they are requesting. If a customer exceeds that established amount of reclaimed water usage, they shall pay the following charges each and every year any overusage occurs.

A. Water Rights Fee – The customer shall either:

1. Provide the necessary additional water rights in an amount equal to or greater than the overusage, or
2. Pay a reclaimed water right fee of \$3,500 for each acre-foot of annual demand.

B. Connection Privilege Fee – The customer shall either:

1. Pay the water connection fee as set forth in County Ordinance No. 1038, Section 5.5, or as it may be amended, or
2. Pay a surcharge of \$1.72 per 1,000 gallons.

Failure to dedicate the necessary water rights or to pay the necessary fees shall result in the termination of service in accordance with Section 11.2 of Ordinance 1038.

5.24 Temporary Emergency Service

Definition: Temporary Emergency Service is any service in excess of the established annual demand.

The Direction of the Department of Water Resources may provide any existing, future or new customers with temporary emergency reclaimed water service when a customer makes the necessary application for service and complies with all requirements of this ordinance.

5.25 Retroactive Effect

The amendments contained in Sections 5.23 and 5.24 shall be retroactive and effective as of September 1, 2002.

Ordinance Amending Ordinance 1038
Adding Charges for Overusage and Temporary Emergency Service

Proposed on the 24th day of SEPTEMBER, 2002.

Proposed by Commissioner: SHAW.

Passed on the 26th day of NOVEMBER, 2002.

Vote:

Ayes: Commissioners: BOND, GALLOWAY, SHAW & SHORT

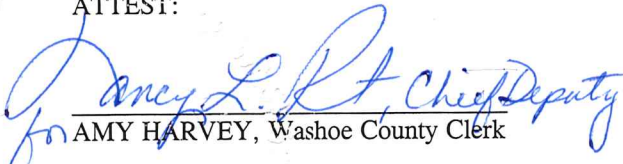
Nays: Commissioners: (NONE)

Absent: Commissioners: SFERAZZA



CHAIRMAN
Board of County Commissioners

ATTEST:


for AMY HARVEY, Washoe County Clerk

This Ordinance shall be in force and effect from and after the 6th day of DECEMBER, 2002

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE SCHEDULE OF RATES AND CHARGES FOR PROVISION OF RECLAIMED WATER SERVICE BY WASHOE COUNTY WITHIN CERTAIN AREAS OF WASHOE COUNTY, RETROACTIVELY TO SEPTEMBER 1, 2002, BY ADDING SECTIONS FOR CHARGES FOR OVERUSAGE AND TEMPORARY EMERGENCY SERVICE, AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT.

WHEREAS, the proposed Amendment to the Schedule of Rates and Charges for Provision of Reclaimed Water Service by Washoe County Within Certain Areas of Washoe County, Retroactively to September 1, 2002, by Adding Sections for Charges for Overusage and Temporary Emergency Service, and Providing Procedures for its Enforcement has been previously discussed and considered at public meetings by the Board of County Commissioners of Washoe County; and

WHEREAS, the proposed Ordinance Amending the Schedule of Rates and Charges for Provision of Reclaimed Water Service by Washoe County Within Certain Areas of Washoe County was recommended for approval by the Director of the Department of Water Resources; and

WHEREAS, the proposed Ordinance Amending the Schedule of Rates and Charges for Provision of Reclaimed Water Service by Washoe County Within Certain Areas of Washoe County was presented to the Board of County Commissioners of Washoe County in a first reading on July 23, 2002; and

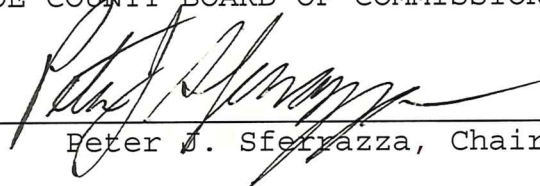
WHEREAS, pursuant to NRS 318.199 the Board of County Commissioners may take action after the public hearing and adopt a Resolution Amending the Schedule of Rates and Charges for Provision of Reclaimed Water Service by Washoe County within Certain Areas of Washoe County, Retroactively to September 1, 2002, by Adding Sections for Charges for Overusage and Temporary Emergency Service and Providing Procedures for its Enforcement.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Washoe County, as follows:

1. The Ordinance Amending the Schedule of Rates and Charges for Provision of Reclaimed Water Service by Washoe County within Certain Areas of Washoe County, Retroactively to September 1, 2002, by Adding Sections for Charges for Overusage and Temporary Emergency Service and Providing Procedures for its Enforcement is hereby approved and adopted, and;
2. The Board of County Commissioners finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business, and;
3. This ordinance, a copy of which is placed on file with the Clerk, will be effective retroactively to September 1, 2002.

ADOPTED this 26th day of November, 2002.

WASHOE COUNTY BOARD OF COMMISSIONERS

By 
 Peter J. Sferazza, Chairman

ATTEST:


 Amy Harvey, County Clerk