



CLARK COUNTY WATER RECLAMTION DISTRICT
CUSTOMER SERVICE DEPARTMENT

RESOLUTION 11-007

Guide to Sewer Connection and Use

Including Rates, Charges, and Fees



Clark County Water Reclamation District

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Monday – Friday 7:30am – 4:30pm

Resolution No. 11-007

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RESOLUTION NO. 11-007
(of Clark County Water Reclamation District)

"A RESOLUTION PROVIDING RATES, CHARGES AND FEES FOR SEWER SYSTEM DEVELOPMENT APPROVAL AND THE SEWER USER CHARGE SYSTEM BY CLARK COUNTY WATER RECLAMATION DISTRICT", AMENDING RESOLUTION 11-006.

WHEREAS, Clark County Water Reclamation District (hereinafter called the "District") is a duly and regularly created governmental subdivision of the State of Nevada, existing pursuant to the provisions of NRS Chapter 318; and

WHEREAS, the Board of Trustees of the District is obligated under NRS 318.199 to establish schedules showing all rates for services performed or products furnished and is further obligated to hold a public hearing after 30 day notice has been given to all users of its services whenever it proposes to change any rates; and

WHEREAS, the Board of Trustees on December 6, 2011, caused notice to be published in a newspaper of general circulation in Clark County of its intention to seek Board approval to update the rate resolution to amend the connection fee assessment method for the Vehicle Wash Customer Classification, to include a Military Relief Rate and hold a public hearing thereon January 17, 2012, in the Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, Nevada, 89155; and

WHEREAS, the public hearing was duly held at the time and place specified in the notice, the Board of Trustees does, by this Amended Resolution, approve the revised resolution, the proposed revised assessment method for connection fees for the Vehicle Wash Customer Classification, and a military relief rate.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Clark County Water Reclamation District in the County of Clark, State of Nevada as follows:

The District is bound by the Code of Federal Regulations (40 CFR 35.2130 and 35.2140) and should any provision of this document herein be found contrary to federal law or Nevada Revised Statutes, then that provision shall be deemed invalid except to the extent permitted by law, but all other provisions thereof shall continue in full force and effect.

SECTION 1. DEFINITION OF TERMS

1. Annual Customer Charge shall mean the total of all applicable annual charges related to wastewater services:
 - (a) Annual Sewer Service Charge shall mean the annual rate charged for wastewater treatment for a customer classification proportionate to services for the cost of operation, maintenance, repair and replacement and debt service/capital reserve of wastewater treatment works.
 - (b) Annual Account Charge shall mean the cost associated with the billing of each account.
 - (c) Annual Pretreatment Permit Fee shall mean the cost associated with a permit for the discharge of non-domestic pollutants into the wastewater treatment works as authorized by the current Pretreatment Resolution.
 - (d) Extra Strength Surcharge shall mean a charge assessed for customers who discharge wastewater that has concentrations exceeding domestic strength.
2. Applicant shall mean a legal owner or a legally designated representative applying for new, changed, or expanded wastewater service to a particular parcel within the District's service areas.
3. Availability Charge shall mean an annual charge, per Equivalent Residential Unit (ERU), for reserved capacity of the wastewater treatment works. The charge is 30% of the Annual Sewer Service Charge, based on the average of the prior three years Debt Service/Capital Reserve.
4. Billable ERU shall mean the number of ERUs activated for Annual Sewer Service Charge billing purposes.

5. Billing Unit shall mean the individual connections to the treatment works, based on customer classification, and is the basis for determining the cost for connection fees and sewer service charges. The District activates Billing Units as Billable ERUs when Clark County Building Department issues a Certificate of Occupancy, or certifies that the construction is Final; or when, through physical inspection, District staff can verify use or occupancy.
6. Board or Board of Trustees shall mean the Board of Trustees of the Clark County Water Reclamation District.
7. Clark County Water Reclamation District (District) shall mean the entity established under Chapter 318, Nevada Revised Statutes, to develop and operate sewer collection and treatment facilities in designated portions of Clark County.
8. Clark County Water Reclamation District Representative shall mean the Clark County Water Reclamation District General Manager or designee.
9. Commenced shall mean the installation of sewer lines on the customer's property.
10. Consumptive Use shall mean water that is not returned to the District's sewer facilities for treatment.
11. Cost Accounting shall mean providing detailed information of the expense of carrying out a District operation, or a specific portion or process of an operation.
12. Customer shall mean the legal owner of each parcel of land upon which there is any billing unit(s) or assigned ERUs.
13. Customer Classification shall mean a system of defining groups of contributors to the Treatment Works that have comparable contribution estimates based on Cost of Service Studies.
14. Debt Service/Capital Reserve shall mean a component of the Annual Sewer Service Charge, which includes principal, interest, or reserve for capital projects.
15. Design Criteria shall mean the current *District Design and Construction Standards for*

Wastewater Collection Systems – Southern Nevada as adopted by the Clark County Water Reclamation District Board of Trustees.

16. District shall mean the Clark County Water Reclamation District General Manager or designee.
17. Domestic Strength shall mean wastes typically generated by a residence, including residential-like wastes generated at commercial and industrial establishments.
18. Emergency Relief shall mean the structure(s) on the customer's land has been damaged or destroyed such that property improvements are unlivable or unusable so as to not reasonably contribute to the District's treatment works. An emergency is defined as an incident that is threatening to life, health, property, or the environment.
19. Equivalent Residential Unit (ERU) shall mean an annual 90,000 gallons (250 gallons per unit per day) allowance of domestic strength wastewater a customer contributes to the District's total wastewater flow.
20. Financial Management System shall mean an accounting system designed to include the User Charge System mandated principles (40 CFR 35) and conforms to Generally Accepted Accounting Principles (GAAP).
21. General Manager shall mean the person duly appointed by the Board of Trustees to perform the duties of the position.
22. Industrial User shall mean any user whose wastewater flow is a source of nondomestic wastewater discharge, as define in Pretreatment Resolutions.
23. Industrial Wastewater shall mean the liquid and solid wastes from any producing, institutional, commercial, agricultural, or other operation where the wastewater is of non-human origin.
24. Legally Designated Representative shall mean that person to whom the property owner has given power of attorney or other documentation satisfactory to the District authorizing said person to apply for new, changed, or expanded service on behalf of the property owner. The documentation presented to the District must contain the property owner's signature, mailing

address, and location of the property, which is the subject of the application. The property owner shall be liable for all sewer service provided to the property as a result of the application by the legally designated representative, and any unpaid charges shall become a lien on said property pursuant to NRS 318.197.

25. Military Relief Rate shall mean a decrease in the assessment of the annual sewer service charge provided to active duty military members whose military service reassignment orders consequently leaves their primary residence unoccupied.
26. Plans shall mean construction, plumbing, architectural, or other details that may be required in order for District staff to determine the number and type of billing units that will be installed as well as the type of discharge. Residential development plans shall include the recorded subdivision map and street listing.
27. Pollutants – Nondomestic shall mean any pollutants that are discharged from any industry, commercial establishment, or other entity, or, in addition to sanitary sewage as defined by Pretreatment Resolutions.
28. Pretreatment shall mean a program for non-domestic waste management.
29. Project shall mean the described construction changes as detailed on the System Development Approval and shall be categorized and defined as:
 - (a) Active Project shall mean the construction has commenced.
 - (b) Abandoned Project shall mean that the SDA has expired and no construction has commenced.
 - (c) Suspended Project shall mean that an Active Project's construction has stopped for an unknown period.
 - (d) Renewal Project shall mean that a Suspended Project has recommenced.
30. Reclaimed Water shall mean treated wastewater that is suitable for reuse or discharge in accordance with state regulations.
31. Sewer shall mean any facilities used in the conveyance, pumping, and treatment of wastewater.

32. Shall and May shall have the following meanings: “shall” shall mean a mandatory statement or action, and “may” shall mean a permissive statement or action.
33. System Development Approval (SDA) shall mean a fee for connection to the District’s treatment works.
34. Temporary Relief shall mean the application of a short-term modification to the annual sewer service charge.
35. Treatment Works means:
- (a) Any devices and systems for the collection, transportation, storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid wastes.
 - (b) These include intercepting sewers, outfall sewers, sewage collections systems, pumping, power, and other equipment and their appurtenances; and
 - (c) Any works including site acquisitions of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; and
 - (d) Any method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste.
36. Useful Life shall mean the estimated period during which a treatment works will be operated.
37. User shall mean:
- (a) “User” with regard to reclaimed water shall mean the person or party that has acquired the use of reclaimed water for purposes under the terms and requirements of this Resolution.
 - (b) “User” with regard to septic tank or chemical toilet waste shall mean any person or company who has a valid permit issued by the District to discharge septic tank or chemical toilet waste to an approved site.
 - (c) “User” with regard to Pretreatment shall mean any customer required to obtain a permit for charges associated with discharges of non-domestic pollutants, as authorized by the current Pretreatment Resolution.

38. User Charge System shall mean a categorization of customers which is based on factors such as flow, strength, volume and flow rate. Charges are assessed as a proportionate share of costs for operations, maintenance, and replacement and is managed through a User Charge System (40 CFR 35.2130 and 35.2140).
39. Wastewater shall mean a combination of the liquid and solids wastes from any source, industrial or domestic, together with groundwater, surface water, or storm water, whether treated or untreated, which is contributed into or permitted to enter the publicly owned treatment works or the waters of the state.
40. Wastewater Collection System shall mean the pipes and pumps necessary to convey wastewater within the public right of way to the treatment facilities. Laterals and other appurtenances located on private property are excluded from the collection system.

SECTION 2. SEWER SERVICE CONDITIONS (NRS 318.170 (b)(c))

A customer receives sewer service at all times during which there are billing units that are connected to and may contribute to the wastewater treatment works, except for periods during which the customer qualifies for Temporary Relief. Each customer is responsible for all charges applicable to the customer's land, which include system development approval fees, annual sewer service charges, pretreatment requirements charges as defined by Pretreatment Resolutions, or extra strength surcharges. It is the responsibility of the customer to inform the District prior to any changes in use, ownership, designated representatives, billing address, installation or removal of any billing units, or within 30 (thirty) days for Temporary Relief. Pursuant to Section 3.5, the customer may be held liable for unpaid charges from the date of such change. Removal of any billing unit must be to the satisfaction of the District.

SECTION 3. SYSTEM DEVELOPMENT APPROVAL

1. It is unlawful for any person, without first satisfying District resolutions, to connect to or otherwise use District treatment works. NRS 318.197
2. A System Development Approval (SDA) allowing connection to District facilities shall be granted when the following requirements are met:

- (a) Submission of a complete and accurate application by the legal owner or legally designated representative for sewer service provided by the District, which shall include, but is not limited to, a legal description of the property to be serviced including address or Assessor's parcel number; and submission of complete plans showing the number and type of billing units to be connected to the treatment works and the type of waste to be generated; Residential development plans shall include the recorded subdivision map and street listing; and
 - (b) Approval by the District of completed application and plans. The SDA shall not be issued until the District approves the civil plans. District review of civil plans is subject to all provisions of the current edition of the *District Design and Construction Standards for Wastewater Collection Systems – Southern Nevada*, and any additional District requirements; and
 - (c) Payment of SDA fees for all billing units on the property for which fees were not previously paid; and
 - (d) Payment of all delinquent charges related to that property; and
 - (e) SDA fees for connection, based on the assessment from plans submission, shall be due and payable and at the rate in effect at the time of issuance.
3. The District shall keep a record of the type and location of the total number of billing units and/or Equivalent Residential Units (ERUs), for which it has approved. ERUs are not transferable. Unless otherwise detailed by the legal owner, reserve on account will be applied prior to issuance of additional ERUs.
 4. The District may at any time, but is not obligated to, inspect the billing units on any customer's property for the purpose of tracking the location, number and type of connections to the collection system, pursuant to NRS 318.165.
 5. SDA fees for billing units which have not been paid for or are in addition to the type for which fees have been paid, are due and payable on the date of discovery. Penalties at the maximum amount permitted by law shall be added to the amount due when SDAs are not paid prior to

installation of billing units pursuant to applicable sections of NRS 318.170(e). The legal owner shall receive a detailed invoice for assessed fees, which is subject to lien.

6. For projects which will be connected to the District wastewater treatment works:
 - (a) If construction is commenced within one year from the date of the issuance of an SDA, the District shall deem this as an Active Project.
 - (b) If construction is not commenced within one year from the date of issuance of an SDA, the project shall be deemed to have been abandoned, and SDA fees shall be refunded upon written request of the owner.
 - (c) If construction has commenced and is subsequently suspended, when the project resumes, renewal SDA fees will include previous SDA payments and any additional fees based on the rate in effect at the time the project resumes. The accessibility to connect to District wastewater treatment works will be determined at that time.
 - (d) If construction has commenced and continues for more than two years from the date of the most recent issuance of an SDA, the project will become subject to an Availability Charge equal to the Debt Service and Capital Reserve portion of the Annual Sewer Service Charge imposed pursuant to Section 1.3 of this resolution, as amended, as if service had commenced.
7. Projects, which have obtained SDAs under the provisions of a Presell Resolution, shall be governed by the applicable portions of said resolutions which shall supersede Section 3.6 of this Resolution.

SECTION 4. BILLING UNITS AND CUSTOMER CLASSIFICATION SCHEDULE

The number of ERUs from which residential and commercial charges and fees are assessed shall be determined in accordance with The Schedule of ERU Values below. In the event that a customer use composition is not suited to any established customer classification, charges and fees shall be based on an agreement approved by the Board of Trustees. (NRS 318.197 (7))

1. Definition of Billing Units:

- (a) Bed shall mean the occupancy value licensed for a medical care facility.

- (b) Dwelling shall mean a structure designed for residential occupancy by one or more persons for living and sleeping purposes, consisting of one or more rooms, including a bathroom and kitchen. The term does not include a hotel or a motel (NRS 318.203)
- (c) Fixture means an object securely fixed in place that is part of a system to deliver water and/or drain away wastewater. Examples of the definition of “fixture,” include, but are not limited to, the following: (Each of the following examples is considered to be one fixture):

- Bidet
- Clothes washing machine
- Commode
- Dental unit with water source
- Dipper well
- Dishwashing machine
- Faucet head (each)
- Glass washer
- Hood wash (per unit)
- Hose bib (in conjunction with a floor drain)
- Pedicure station
- Pot filler
- Pre-rinse spray (independent water source)
- Shower head (each)
- Sink Types (each water source is 1 fixture)
 - Bar sink
 - Beauty parlor/barber sink
 - Hand sink
 - Kitchen utility sink
 - Laundry sink
 - Lavatory sink
 - Mop sink
 - Steam table sink
 - Trough sink (each faucet)
 - Wok sink
 - Wok wall sink
- Steam table
- Urinal/Urinal trough (each 2-foot section)
- Vehicle Wash Bay (in-bay, self-serve, conveyor)

Devices and appliances expressly excluded from the definition of “Fixture” are contained in, but not limited to, the following list:

- Air Conditioner
- Boiler
- Coffee urn
- Dental unit vacuum extraction

Drinking fountain
 Emergency wash/spray equipment
 Garbage disposal
 Glass filler
 Hot water tank
 Ice machine
 Refrigerator
 Soft drink machine
 Water softener
 X-ray machine

- (d) Individual shall mean one person registered, enrolled, or otherwise charged per capita, for receiving services at a care facility.
- (e) Recreational Splash Pad ERU billing value per splash pad is calculated by the number of gallons per day (provided by the Equipment Manufacturer) multiplied by a 90 day season, then divided by 90,000 gallons (equivalent to 1 ERU) then reduced by a 30% evaporation rate.
- (f) Site shall mean the location where a mobile home may be placed as a permanent dwelling.
- (g) Space shall mean the location set aside for the placement of a vehicular type dwelling.
- (h) Student shall mean a person enrolled in an educational or recreational program.
- (i) Unit shall mean a room or space at an establishment that provides for paid lodging on a short-term basis.
- (j) Water shall mean the number of gallons for any water feature including, but not limited to, a pool, a spa, or a fountain.

2. Schedule of ERU Values:

(a) Service areas (except Indian Springs):

Customer Classification	ERU	Billing Unit
All other commercial uses (p13.4(a))	0.65	Each fixture
All other residential uses (p13.4 (b))	1.00	Each dwelling
Bars/taverns w/food facilities	1.00	Each fixture
Bars/taverns w/o food	0.65	Each fixture
Beauty/barber/nails/tanning shop	0.25	Each fixture
Care Center: Child/Adult	0.10	Each individual
Casino	1.50	Each fixture

Common Area: Commercial (p14.4 (g))	Var	Each fixture
Community/Special Event Center	0.65	Each fixture
Condominium / Townhouse	0.50	Each dwelling
non-dwelling fixtures	0.65	Each fixture
Convalescent/Assisted Care Facility	0.75	Each bed
Dry Cleaners	1.00	Each fixture
Financial institutions	0.45	Each fixture
Food sales (w/o cooking facilities)	0.65	Each fixture
Hospital	1.20	Each bed
Hotel/motel/timeshare	0.60	Each unit
Non-unit fixtures	1.50	Each fixture
Large commercial (250,000 gallons per day)	1.00	Estimated
Large commercial/industrial use	85%	Estimated
Laundromat: Retail	0.45	Each fixture
Laundry: Commercial	85%	Estimated
Limited Event Center	0.45	Each fixture
Maintenance/repair shops	0.45	Each fixture
Markets w/disposal	1.00	Each fixture
Medical (clinic)/dental/veterinarian	0.25	Each fixture
Mobile Home	0.50	Laughlin Only Each dwelling/site
	1.00	Each dwelling/site
Multiple Residential	0.70	Each dwelling
Office/warehouse	0.45	Each fixture
Offices	0.45	Each fixture
Pet grooming	0.25	Each fixture
Recreational Splash Pad		Calculated (see definition)
Recreational Vehicle Park	0.10	Each Space
non-space/site fixtures	0.45	Each fixture
Religious Facility	0.50	Each fixture
Restaurant	1.33	Each fixture
Restaurant: Take out/Fast Food	0.65	Per fixture
Retail stores	0.65	Each fixture
School	0.10	Each student
Senior Apartment	0.50	Each dwelling
non-dwelling fixtures	0.65	Each fixture
Service stations	0.65	Each fixture
Service/alteration; dry cleaner pickup stations	0.45	Each fixture
Single Family Residence	1.00	Each dwelling
Theaters	0.45	Each fixture
Theme parks/sports complex	1.00	Each fixture
Vehicle Sales (w/automated vehicle wash)	1.00	Each fixture
Vehicle Wash: Vehicle Conveyor	15.05	Each Bay

Vehicle Wash: In Bay	6.56	Each Bay
Vehicle Wash: Self Serve Bay	0.54	Each Bay
Vehicle Wash: Truck Wash	15.18	Each Bay
Vehicle Wash: On site fixtures	.65	Each Fixture
Water feature	.10	Each 1 st 20k gal

(b) Indian Springs:

Customer Classification	ERU	Billing Unit
Other commercial facility ¹	0.91	Each fixture
Other commercial facility ²	0.84	Each fixture
Casino	.916	Each fixture
Dump Station	3.59	Each Station
Motel	.892	Each unit
Laundromat: Coin Operated	.479	Each machine
Mobile Home	0.58	Each dwelling or site
Multiple Residential	.892	Each dwelling
Religious Facility	.245	Each fixture
Restaurant	0.84	Each fixture
Restaurant >=30 seats	0.91	Per Seat
Restaurant <30 seats	0.14	Per Seat
School	.125	Each student
Single Family Residence	1.00	Each dwelling
Water feature	.10	Each 1 st 20k gal
¹ Dwelling at commercial facility		
² Offices, retail, non-unit outside fixtures		

3. Definitions of customer classifications:

- (a) All other commercial uses means establishments not specifically listed. This may include, but is not limited to, community amenities, general retail business, manufacturing, or warehouse sales.
- (b) All other residential uses means residential dwellings not specifically listed. This may include, but is not limited to, accessory apartment, casita or guest house.
- (c) Beauty/barber/nails/tanning shop means an establishment dealing with cosmetic treatments.

- (d) Care Center means a facility where an individual stays for a limited period, less than 24 hours per day.
- (e) Casino means a place where the main function is to provide games of chance and/or gaming devices.
- (f) Commercial Customer means the legal owner of a parcel of land who is utilizing the property for business uses and that may require a business license to operate.
- (g) Common Area: Commercial means billing units that are shared and are charged based on a customer classification type of the group. These include, but are not limited to, public restrooms, break rooms, or kitchens:
 - i. Type A: Classifications that are charged 1.00 ERUs per billing unit
 - ii. Type B: Classifications that are charged .65 ERUs per billing unit
 - iii. Type C: Classifications that are charged .45 ERUs per billing unit
 - iv. Type D: Classifications that are charged .25 ERUs per billing unit
- (h) Condominium/Townhouse means an individually owned dwelling in a structure containing two or more dwellings. Billing units for community common areas, which are external to the dwellings, shall be charged separately.
- (i) Convalescent and Assisted Care Facility means an establishment used or designed to provide personal and health care supervision for periods longer than 24 hours per day.
- (j) Dry Cleaner means an establishment where articles are cleaned for remuneration.
- (k) Financial institution means an establishment that provides banking, lending, investment, and other financial services.
- (l) Food sales (without cooking facilities) mean an establishment that sells food which has been prepared at another location or requires preparation after it has been purchased.

- (m) Hospital means an establishment staffed and equipped to provide diagnosis, care and treatment of human illness or injury and which provides 24-hour professional nursing services under the direction of physicians.
- (n) Hotel/Motel/Timeshare means a service type structure containing rental units including, but not limited, to full/select/limited service, extended stay, timeshare, or other business configurations in order to provide lodging to transient clientele. Fixtures outside the units are charged separately.
- (o) Large Commercial/Industrial means a commercial establishment which uses an average of 250,000 gallons per day.
- (p) Laundromat: Retail means an establishment that allows patrons through self-service, to use machines designed for cleaning and drying cloth items or that charges patrons for on-site article washing services.
- (q) Laundry: Commercial means an establishment where articles are washed for enumeration. ERU calculations are based on actual water metering for a 12-month period (May 1 – April 30).
- (r) Limited Events Center means any permanent location designed and used primarily for entertainment, exhibitions, or trade shows and other such similar activities under the following conditions:
- i. Conducts no more than fifteen (15) events per calendar year; and
 - ii. Events total no more than twenty-five (25) days per calendar year; and
 - iii. The occupancy rating is not less than forty thousand (40,000) persons; and
 - iv. The customer shall have the one-time option, at the commencement of sewer service, to decide whether the Annual Sewer Service charge shall be based on

either the number of installed billing units or water records for the 12 months prior, from metered water sources.

- (s) Maintenance/repair shops shall mean an establishment which provides services for the restoring, fixing, repairing, replacing or other upkeep of equipment or property.
- (t) Medical/Dental/Veterinarian means an office or clinic where patients visit practitioners for limited treatment services.
- (u) Mobile Home means a vehicular structure, which is designed to be used with or without a permanent foundation and which is used as a dwelling
- (v) Multiple Residential means a structure containing two or more contiguous dwellings under one ownership and situated upon the same parcel of land.
- (w) Office means an establishment which provides services, including private or public.
- (x) Recreational Splash Pad means an aquatic play area that may have a combination of fountains, sprays, jets and other special play features which are discharged into an open drain to prevent standing water.
- (y) Recreational Vehicle Park means a place that provides space rental for recreational and temporary occupancy.
- (z) Religious Facility means a structure primarily used for religious services by a religious organization.
- (aa) Residential Customer means the legal owner of a parcel of land who is utilizing the property for a domicile.
- (bb) Restaurant means a place, which is not a part of a hotel or casino, which has cooking facilities and whose primary business is serving food to the public.
- (cc) School means an establishment which offers academic, vocational or technical courses of

study or other educational services.

- (dd) Senior Apartment means a rental dwelling within a multiple residential property, which:
- i. Consists solely of rental dwellings, averaging eight-hundred twenty-five (825) interior square feet or less; and
 - ii. Which is intended and operated for occupancy exclusively for persons fifty-five years of age or older; and
 - iii. Is limited to one or two occupants per dwelling; and
 - iv. ERUs for any fixtures outside the residential dwellings will be calculated at the applicable commercial rate.
- (ee) Single-Family Residence means a structure containing one dwelling.
- (ff) Special Events Center means any permanent location designed and used primarily for entertainment, exhibitions, trade shows and other such similar activities.
- (gg) Theme Park means any permanent location which is open to use or attendance by the public at which is exclusively offered activities for entertainment, amusement, pleasure, or relaxation.
- (hh) Vehicle Wash means a facility used to clean motor vehicles. Customers in this classification are assessed the annual sewer service charge based on the customer's water use (from metering records) of the local water purveyor for the 12-month period (May 1-April 30), less an evaporation rate of 30%. With the approval of the District, the annual water use may be adjusted, upon written request from a customer within this classification, to the District for irrigation and/or other uses which do not contribute to the sewage system, as quantified by a District approved sub-metering plan, and as determined by the General Manager.

- (ii) Water Feature means swimming pools spas, hot tubs, decorative fountains, waterscapes and lagoons. ERUs shall be based upon total gallons, regardless of the number of pools: 20,000 gallons and less = .10 ERU. Each thousand gallons over 20,000 is multiplied by .45 and divided by 90,000 to calculate the total ERUs.
4. Should the billing unit and/or an ERU factor for a customer classification be revised, that revision will affect the Annual Sewer Service Charge beginning with the next annual billing cycle. The revision will not require additional SDA fees for connections already properly paid.
 5. All commercial customer classifications shall be based on the primary use of the structure(s) as determined by the District. The District may use the category of the business license issued by the Clark County Department of Business License in determining the primary use.
 6. The District General Manager or designee shall have the authority to change the customer classification, change the number of ERUs, change the number or type of billing units applicable to any customer classification, adjust charges, or establish credit against future charges, if the customer demonstrates that the customer classification, the number of ERUs, the number or type of billing unit or the charges were not in accordance with, and subject to Section 13 of, this Resolution.

SECTION 5. SYSTEM DEVELOPMENT APPROVAL FEES AND SEWER SERVICE CHARGES

Except as identified within this section, all rules apply in the same manner to each service area.

1. SYSTEM DEVELOPMENT APPROVALS:

Fiscal Year	District		Septic
	<u>*Service Areas</u>	<u>Laughlin</u>	<u>** Conversion</u>
07/01/2010 - 06/30/2011	\$ 1,942	\$ 1,600	\$ 1,600
07/01/2011 - 06/30/2012	\$ 2,066	\$ 1,600	\$ 1,600
07/01/2012 - 06/30/2013	\$ 2,195	\$ 1,600	\$ 1,600

* All other Service Areas, excluding Laughlin

** Customers, in all Service Areas, converting from Septic Systems

All amounts, per ERU

Mainline Refund Agreement fees may be assessed per District resolutions

2. ANNUAL SEWER SERVICE CHARGES – ALL DISTRICT CUSTOMERS:

Fiscal Year	Annual Sewer Service Rates, per ERU
7/1/2010 – 6/30/2011	\$213.70
7/1/2011 – 6/30/2012	\$218.24
7/1/2012 – 6/30/2013	\$230.30

3. In addition to the charges per ERU, a sixteen-dollar (\$16.00) Annual Account Charge is applied to each account.

4. PRETREATMENT FEES: The following fees will be charged annually for those users under Resolution No. 83-012, as amended, “A Resolution Establishing Uniform Regulations Governing Direct and Indirect Contributions Into the Wastewater Treatment System of the Clark County Water Reclamation District,” Resolution No. 87-009, as amended, “A Resolution Establishing Regulations Governing Discharges from Onsite Sewage Pumping Stations to District Facilities,” and Resolution No. 92-012 as amended, “A Resolution Establishing Regulations Governing Grease Interceptors Discharging to District Facilities”:

	Annual Fee (each)
Grease or Sand/Oil Interceptor	\$100.00
• Each additional interceptor at the same address	\$50.00
• Each follow-up inspection	\$100.00
On-Site Lift Station	\$500.00
Industrial User Permits	\$300.00
Categorical	\$1,000.00
Significant Industrial User	\$1,000.00
Industrial User	\$300.00

5. In addition to the Annual Customer Charge, users who discharge wastewater having concentrations exceeding Domestic Strength as defined, in Section 1, shall be assessed an extra strength surcharge. The extra strength surcharge shall be:

BOD - \$0.10000/ERU for each mg/ℓ above 250 mg/ℓ

TSS - \$0.08000/ERU for each mg/ℓ above 250 mg/ℓ

PHOSPHORUS - \$10.0000/ERU for each mg/ℓ above 5.5 mg/ℓ

AMMONIA - \$0.5600/ERU for each mg/ℓ above 19 mg/ℓ

The District shall determine average extra strength concentrations of BOD, TSS, PHOSPHORUS, and AMMONIA for each surcharged customer classification. The District, upon written request of the surcharged user, may adjust the surcharge based upon onsite monitoring of each of the user's wastewater source(s). Monitoring must be to the satisfaction of the District. Costs associated with monitoring are the responsibility of the user.

SECTION 6. TEMPORARY RELIEF

1. EMERGENCY RELIEF

A. A customer who performs all of the following becomes eligible for emergency relief:

- (a) Notify the District within thirty (30) days when the change in the billing unit status is a result of damage or demolition; otherwise, the date of notification will be the qualifying date.
- (b) Provides documentation or otherwise demonstrates to the satisfaction of the District, that the property improvements are unlivable or unusable, as defined in Section 1.
- (c) Notify the District within thirty (30) days of the structure being completed or occupied.

B. The District will:

- (a) Remove billing units from active billing service during the period the property improvements are unlivable or unusable; and
- (b) Apply Emergency relief, effective the last day of the month in which the damage or demolition occurred; and

- (c) Activate sewer billing once the property improvements receive a Certificate of Occupancy.
- (d) If the customer fails to inform the District within thirty (30) days of the structure being completed or occupied, the District will retroactively charge the customer according to the date on the Certificate of Occupancy.

2. MILITARY RELIEF

Customers who are active duty military members can provide documentation to the District that evidences that the primary residence is unoccupied due to military service orders. The military relief rate is determined based on the annual debt service portion of the annual sewer service rate.

A. A customer must provide all of the following to become eligible for temporary relief due to active military duty:

- (a) Proof of reassignment;
- (b) Proof of relocation of service member and family;
- (c) Yearly verification that service member and family has not returned to the property due to active military service.
- (d) Annual written acknowledgment that the property is not occupied.
- (e) Notification to the District, within 30 days, that the property is sold, rented or otherwise occupied. Notification may be made by the owner or the owner's representative.

B. The District will:

- (a) Reduce billing units from active billing service to a Military Service charge during the period the property is uninhabited;
- (b) Perform periodic inspections to verify the property has no occupants;
- (c) Activate the sewer service at the established annual sewer service charge when occupancy can be verified.

SECTION 7. BILLING OF THE ANNUAL CUSTOMER CHARGE

1. Customers who are of record on July 1, will be billed in advance for the entire fiscal year from

July 1 through the next June 30. This annual billing will separately list the Annual Sewer Service Charge portion of the Annual Customer Charge, which is attributable to wastewater treatment services.

2. The customer shall have the option to pay annually (July 1), or quarterly (July 1, October 1, January 1, April 1).
3. In addition to the Annual Sewer Service Charge, a sixteen-dollar (\$16.00) Annual Account Charge shall be charged to each account. Customers billed this charge, who pay annually (July 1) and whose payment(s) are received by the District on or before July 31, will be eligible to receive an Annual Account Charge discount of Twelve Dollars (\$12.00) per account.
4. Failure to pay the minimum due of the Annual Customer Charge by the last day of the billing month constitutes the account as delinquent with the balance due and payable.
5. Customers who are not of record on July 1 will be billed on the first day of the quarter immediately following the commencement of services through the next succeeding June 30, with the option to pay the annual balance or to pay quarterly.
6. In addition to the payment options identified in this section, customers in the Moapa Valley service area have the option of monthly billing. Other customers may qualify for a monthly payment plan if they demonstrate to the satisfaction of the District that they or their family occupy the service property and that their income for the previous calendar year did not exceed the poverty level maximum gross income as stipulated by the Clark County Department of Social Services.
7. Payment does not constitute a contract for service for the entire fiscal year. The Board of Trustees retains the right to modify the Annual Customer Charge at any time in accordance with applicable law.

8. Any number of residential customers may elect to be billed and to pay through an association, property manager or other agent.

(a) The association, property manager or other agent must submit to the District:

- i. A list of the residential customers represented; and
- ii. Covenants, Conditions and Restrictions as recorded; and
- iii. A surety bond or cash deposit in the amount of one-fourth of the total charges for all represented customers. The deposit is refundable during the first quarter following one year of timely payment provided the association requests such refund in writing. The deposit is not an advance payment of any charges imposed under this Resolution. If a surety bond is submitted, it shall be executed by a surety insurance company qualified to do business in the State of Nevada. The bond shall run to the District as obligee and provide that the association, property manager or other agent will comply with the terms, conditions and provisions of this Resolution and will make payments in a timely manner required under Section 8 on behalf of all represented customers. The bond shall further provide that in the event the final sum is not paid within 60 days after demand by the District, the District may file suit to collect the final sum. If judgment is entered in favor of the District, the surety will pay all attorney's fees, costs and expenses incurred by the District in securing the judgment. No cash deposit or surety bond is required if the association, property manager or other agent demonstrates that the charges for the customers represented have consistently been paid in a prompt and timely manner for the preceding fiscal year. (NRS 318.197)

(b) Upon compliance with all of the requirements of Section 7.8 (a) above, the association, property manager or other agent shall pay the charges due under Sections 5.2 and 5.4 and

the Annual Account Charge. The association, property manager or other agent will be billed in accordance with Section 7. Failure of the association, property manager or other agent to pay at least one-fourth of the amount billed on or before the last day of the billing month shall constitute an election by the represented customers to be billed and to pay their charges (including the Annual Account Charge) on an individual basis.

SECTION 8. Bills are due and payable upon presentation and shall be conclusively deemed to have been presented five days after mailing. The District cannot guarantee receipt of any bill, and failure to receive a bill does not relieve a customer of the obligation to pay. Bills shall be delinquent on the 1st day of the month after the billing month and the property will be subject to lien. Delinquent bills may also be assessed interest and penalties (NRS 318.197).

SECTION 9. The District may enter into agreements with local banks to accept credit card and electronic check payments. Charges for which an electronic payment is made will not be considered paid until after the expiration of the time within which the bank can collect from or charge back to the District the amount of the charge.

SECTION 10. The District shall cause a Notice of Lien to be recorded at any time after a bill has become delinquent. The District shall cause Release of Lien to be recorded after it has received payment in the amount for which the lien was claimed which shall include the cost of recording the Notice of Lien and Release of Lien plus a service charge not to exceed \$20.00.

SECTION 11. If the bill is delinquent for a period in excess of 60 days, the District may disconnect service after notice and hearing. The delinquent bill, penalties, interest, lien fees, and the cost of disconnection and reconnection shall be paid before service to the property is restored.

SECTION 12. The District's Board of Trustees has the authority pursuant to NRS 318.201 to elect to have the Annual Customer Charges that are delinquent for one year or more, placed on the Clark County tax roll for collection. A written report, which contains the legal description of each parcel of real estate and the amount of the charges for each parcel shall be filed with the Secretary of the Board of Trustees. An annual public hearing is held in the County Commission Chambers to consider customer protests. The Board must approve collection of the charges through the tax roll.

SECTION 13. The District shall maintain a financial management system and prepare an annual audit in accordance with applicable General Accepted Accounting Principles (GAAP) and the Government Accounting Standards Board (GASB). The District will review the Customer Information System (User Charge System 40 CFR 35) and revise the Annual Sewer Service Charge rates biannually or as necessary to ensure that the system generates adequate revenues to pay the cost of operations, maintenance, repairs and replacement. Additionally, the District shall maintain a fiscal program for wastewater treatment works, including both the revenue and expense programs, and shall maintain accurate account records including revenues by source received, the application of those revenues, and all financial transactions.

SECTION 14. Subsequent to the adoption of this Resolution, should a community treatment works located within the unincorporated area of Clark County and not previously serviced by the District, come under the jurisdiction of the District, the Board of Trustees shall, by passage of a resolution, formally add the treatment works into the District's service system.

SECTION 15. Customers, who through interlocal agreement are serviced by treatment works other than the District, will be billed according to the interlocal agreement rate in effect for the receiving treatment works.

SECTION 16. As provided in NRS 318.197(1), and in addition to the fees and charges listed elsewhere in this resolution, the District may establish cost recovery fees upon Board approval.

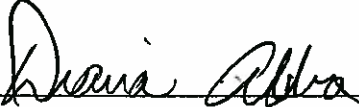
SECTION 17. Effective July 1, 2011, this Resolution supersedes all previous resolutions establishing a user charge system, a sewer use ordinance, and providing for the collection of all District charges and fees.

PASSED, ADOPTED AND APPROVED this 17th day of January 2012.


CLARK COUNTY WATER RECLAMATION DISTRICT

By: 
LAWRENCE BROWN, Chairman

ATTEST:


DIANA ALBA, Secretary

APPROVED TO LEGALITY ONLY:


CAROLYN CAMPBELL, Deputy District Attorney