

TITLE 13 – WATER AND SEWAGE

BILL NO. _____

INTRODUCED BY COUNCIL

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTERS 13.09 AND 13.24 OF THE SPARKS MUNICIPAL CODE; TO INCREASE SEWER AND STORM DRAIN USER RATES 5% ANNUALLY FROM JULY 1, 2019 THROUGH JULY 1, 2022, TO SET MULTI FAMILY RESIDENTIAL AND MOBILE HOME USER RATES EQUAL TO SINGLE FAMILY USER RATES ON JULY 1, 2019, TO INCREASE THE SEWER CONNECTION FEE BY 30% ON JANUARY 1, 2019 AND TO INCREASE THE STORM DRAIN CONNECTION FEE BY 2.96% ON JANUARY 1, 2019, TO ANNUALLY ADJUST SEWER AND STORM DRAIN CONNECTION FEES PER THE ENGINEERING NEWS RECORD CONSTRUCTION COST INDEX BEGINNING ON JANUARY 1, 2020 AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, THE CITY OF SPARKS PROVIDES SANITARY SEWER AND STORM DRAIN SERVICES TO THE CITIZENS OF SPARKS AND MUST, FROM TIME TO TIME, MAKE ADJUSTMENTS TO THE FEES CHARGED FOR THE SERVICES TO INSURE THE LEVEL OF SERVICE WILL PROTECT THE HEALTH, SAFETY AND WELFARE OF ITS CITIZENS IN COMPLIANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

SECTION 1. Section 13.09.020: “Dwelling or residential unit.” is hereby amended as follows:

Section 13.09.020 - Dwelling or residential unit.

The sewer and storm drains service user charges for each type of residential unit is a flat quarterly rate.

~~Effective July 1, 2014, the quarterly sewer and storm drains service user charge for residential units shall be as follows:~~

Type of Unit	\$/Quarter
Single family residential	\$76.43/Unit
Multiple family residential and mobile home	\$56.14/Unit
Roominghouse	\$76.43/Quarter plus \$39.24/Unit

~~Effective July 1, 2015, the quarterly sewer and storm drains service user charge for residential units shall be as follows:~~

Type of Unit	\$/Quarter
Single family residential	\$80.68/Unit

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Type of Unit	\$/Quarter
Multiple-family residential and mobile home	\$69.54/Unit
Roominghouse	\$80.68/Quarter plus 42.48/Unit

~~Effective July 1, 2016, the quarterly sewer and storm drains service user charge for residential units shall be as follows:~~

Type of Unit	\$/Quarter
Single-family residential	\$85.28/Unit
Multiple-family residential and mobile home	\$73.21/Unit
Roominghouse	\$85.28/Quarter plus 45.98/Unit

Effective July 1, 2017, the quarterly sewer and storm drains service user charge for residential units shall be as follows:

Type of Unit	\$/Quarter
Single-family residential	\$90.25/Unit
Multiple-family residential and mobile home	\$77.19/Unit
Roominghouse	\$90.25/Quarter plus \$49.78/Unit

Effective July 1, 2019, the quarterly sewer and storm drains service user charge for residential units shall be as follows:

Type of Unit	\$/Quarter
Single-family residential	\$94.77/Unit
Multiple-family residential and mobile home	\$94.77/Unit
Roominghouse	\$94.77/Quarter plus \$52.27/Unit

Effective July 1, 2020, the quarterly sewer and storm drains service user charge for residential units shall be as follows:

Type of Unit	\$/Quarter
Single-family residential	\$99.50/Unit
Multiple-family residential and mobile home	\$99.50/Unit
Roominghouse	\$99.50/Quarter plus \$54.88/Unit

Effective July 1, 2021, the quarterly sewer and storm drains service user charge for residential units shall be as follows:

Type of Unit	\$/Quarter
Single-family residential	\$104.48/Unit
Multiple-family residential and mobile home	\$104.48/Unit
Roominghouse	\$104.48/Quarter plus \$57.63/Unit

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Effective July 1, 2022, the quarterly sewer and storm drains service user charge for residential units shall be as follows:

<u>Type of Unit</u>	<u>\$/Quarter</u>
<u>Single-family residential</u>	<u>\$109.70/Unit</u>
<u>Multiple-family residential and mobile home</u>	<u>\$109.70/Unit</u>
<u>Roominghouse</u>	<u>\$109.70/Quarter plus \$60.51/Unit</u>

The quarterly user charge consists of four components; sanitary sewer operation and replacement, storm drain operations and replacement, debt service and capital costs and river flood protection.

A supplemental river flood protection rate component of five dollars and forty-one cents (\$5.41) per month will be charged to each dwelling or residential unit to which this ordinance applies, effective April 1, 2008.

SECTION 2. Section 13.09.025: “Sewer rebate program.” is hereby amended as follows:

Section 13.09.025 - Sewer rebate program.

If you live in a dwelling or residence in the City of Sparks and are enrolled in: ~~(1) the Washoe County Senior Property Tax/Rental Rebate Program;~~ ~~(12) the State of Nevada State Welfare Division Energy Assistance Program (EAP) Low Income Home Energy Assistance (LIHEA) Program;~~ ~~(23) the Federal Supplemental Security Income (SSI) Program;~~ ~~(3) Social Security Disability (SSD);~~ or (4) or another equivalent low-income program you may be eligible to receive a sewer rebate up to one (1) quarter’s sewer, storm drains, and river flood user charge per the applicable fiscal year of fifty seven dollars and ninety two cents (\$57.92) in 2008, sixty one dollars and forty one cents (\$61.41) in 2009, sixty four dollars and eighty seven cents (\$64.87) in 2010, sixty eight dollars and fifty eight cents (\$68.58) in 2011, and seventy two dollars and fifty cents (\$72.50) in 2012, provided you can demonstrate your eligibility. Any rebate granted may be prorated based on the amount of time the applicant has lived within the City of Sparks during the prior fiscal year. No more than one (1) rebate per fiscal year may be given. However, you may apply once a fiscal year as long as the program is in effect. Applications and additional information may be obtained from the customer service ~~finance~~ department. All applications shall be subject to review and income verification.

SECTION 3. Section 13.09.030: “Industrial/commercial discharger.” is hereby amended as follows:

Section 13.09.030 - Industrial/commercial discharger.

The sewer service user charges for industrial/commercial dischargers shall be a uniform rate based upon the type of user and consumption. Effective April 1, 2008, and on January 1st of each year thereafter until 2012, the monthly sewer service user charges for industrial/commercial dischargers shall be as follows:

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Type of User	\$/1,000 gallons of water use (+ Base Rate)				
	2008	01/01 2009	01/01 2010	01/01 2011	01/01 2012
Hotel/Casino, Large (> = 40,000 gallons/day)	\$ 0.60	\$ 0.60	\$ 0.62	\$ 0.64	\$ 0.69
Hotel/Casino, Small (< = 40,000 gallons/day)	\$ 0.20	\$ 0.20	\$ 0.21	\$ 0.22	\$ 0.24
Restaurant	\$ 1.20	\$ 1.20	\$ 1.24	\$ 1.29	\$ 1.38
Pizza Shop	\$ 0.50	\$ 0.50	\$ 0.52	\$ 0.54	\$ 0.58
Meat Packer	\$ 0.50	\$ 0.50	\$ 0.52	\$ 0.54	\$ 0.58
Hotel Laundry	\$ 1.70	\$ 1.70	\$ 1.76	\$ 1.82	\$ 1.96
Laundromat	\$ 0.50	\$ 0.50	\$ 0.52	\$ 0.54	\$ 0.58
Carwash, wand	\$ 0.20	\$ 0.20	\$ 0.21	\$ 0.21	\$ 0.23
Bakery, commercial	\$ 0.10	\$ 0.10	\$ 0.10	\$ 0.11	\$ 0.12
Bakery, donut	\$ 2.40	\$ 2.40	\$ 2.48	\$ 2.57	\$ 2.76
Market with bakery and delicatessen	\$ 0.40	\$ 0.40	\$ 0.41	\$ 0.43	\$ 0.46
Spice Packaging	\$ 0.40	\$ 0.40	\$ 0.41	\$ 0.43	\$ 0.46
Wash, truck or bus	\$ 0.70	\$ 0.70	\$ 0.72	\$ 0.75	\$ 0.81
Recreational vehicle park with dump site	\$ 1.10	\$ 1.10	\$ 1.14	\$ 1.18	\$ 1.27
Portable toilet dump, commercial	\$36.40	\$36.40	\$37.67	\$38.99	\$41.92
Food processor, large (> = 10,000 gallons/day)	\$ 0.40	\$ 0.40	\$ 0.41	\$ 0.43	\$ 0.46
Food processor, small (< = 10,000 gallons/day)	\$ 4.70	\$ 4.70	\$ 4.86	\$ 5.03	\$ 5.41
Kitchen, commercial	\$ 1.90	\$ 1.90	\$ 1.97	\$ 2.04	\$ 2.19
Primate biomedical facility	\$ 0.50	\$ 0.50	\$ 0.52	\$ 0.54	\$ 0.58
Other	base rate				

For industrial/commercial discharges not listed, sewer service user charges may be assigned by comparing a discharger to a discharger with a similar type and strength of discharge.

Effective July 1, 2014⁷, the base rate shall be ~~\$5.404.47~~/1,000 gallons of water usage. Effective July 1, 2015⁹, the base rate shall be ~~\$5.684.75~~/1,000 gallons of water usage. Effective July 1, 2016²⁰, the base rate shall be ~~\$5.965.06~~/1,000 gallons of water usage. Effective July 1, 2021¹⁷, the base rate shall be ~~\$6.265.40~~/1,000 gallons of water usage. Effective July 1, 2022, the base rate shall be \$6.58/1,000 gallons of water usage. All customers are subject to a minimum monthly charge for six thousand (6,000) gallons, whether used or not. This six thousand-gallon minimum shall only apply to the base rate and river flood protection rate.

A supplemental river flood protection rate of sixty-four cents (\$0.64) per one thousand (1,000) gallons of water usage will be charged to each industrial/commercial discharger to which this ordinance applies, effective April 1, 2008.

SECTION 4. Section 13.09.033: “Industrial/Commercial, Federal, State, County and School District dischargers without water meters.” is hereby amended as follows:

Section 13.09.033 - Industrial/Commercial, Federal, State, County and School District dischargers without water meters.

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Where no water meter data is available, sewer service fees for industrial/commercial, federal, state, county and school district dischargers shall be based on weighted fixture units in accordance with the following rate table:

Weighted Fixture Unit Charge For Each Weighted Fixture Unit

July 1, 201 7 ⁴	\$3.64
July 1, 201 9 ⁵	\$3.94
July 1, 20 20 ¹⁶	\$4.26
July 1, 20 21 ¹⁷	\$4.61
<u>July 1, 2022</u>	<u>\$5.60</u>

SECTION 5. Section 13.24.020: “Dwelling or residential unit.” is hereby amended as follows:

The sewer connection fee is at a flat rate for each residential unit and shall be in accordance with the following schedule:

<i>Type of Unit</i>	<i>Connection Fee effective <u>January 1, 2019</u>April 1, 2008</i>
Single-family residential	\$7,332.54 ^{\$43,874.00} /unit
Multiple-family residential and mobile home	\$7,332.54 ^{\$43,874.00} /unit
Interval residential	\$7,332.54 ^{\$43,874.00} /unit
Roominghouse	\$7,332.54 ^{\$43,874.00} plus \$3,666.27 ^{\$1,937.00} /rental room

<i>Type of Unit</i>	<i>Connection Fee effective <u>January 1, 2009</u></i>
Single-family residential	\$4,267.00 per unit
Multiple-family residential and mobile home	\$4,267.00 per unit
Interval residential	\$4,267.00 per unit
Roominghouse	\$4,267.00 per unit plus \$2,134.00 per rental room

<i>Type of Unit</i>	<i>Connection Fee effective <u>January 1, 2010</u></i>
Single-family residential	\$4,661.00 per unit
Multiple-family residential and mobile home	\$4,661.00 per unit
Interval residential	\$4,661.00 per unit
Roominghouse	\$4,661.00 per unit plus \$2,331.00 per rental room

Effective January 1, 20~~20~~¹⁴, connection fees shall be adjusted annually based on the Engineering News Record Construction Cost Index. The measurement period shall end with the published index for November of each year and the resulting increases shall be implemented

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January of each year. Calculation of the change in the index is made by dividing the current index for November by the preceding index for November and subtracting one (1).

A supplemental river flood protection connection fee of two hundred dollars (\$200.00) will be charged to each dwelling or residential unit to which this ordinance applies, effective April 1, 2008.

SECTION 6. Section 13.24.030: “Industrial/commercial discharger.” is hereby amended as follows:

Section 13.24.030 - Industrial/commercial discharger.

On January 1, 2019~~In 2010~~, the sewer connection fees will be based on the number of weighted fixture units which are being connected, times three hundred forty four dollars and thirty three cents (\$344.33) ~~two hundred fifteen dollars and twenty nine cents (\$215.29)~~ per weighted fixture unit. Effective January 1, 2020~~2011~~24, connection fees shall be adjusted annually based on the Engineering News Record Construction Cost Index. The measurement period shall end with the published index for November of each year and the resulting increases shall be implemented January of each year. Calculation of the change in the index is made by dividing the current index for November by the preceding index for November and subtracting one (1).

If the wastewater discharge contains BOD, suspended solids, total phosphorus or total nitrogen concentrations more than three (3) times higher than for the discharger categories listed in Section 13.09.030, the public works director may adjust the sewer connection fee to cover any additional capital costs required for treating and disposing of the wastewater. The public works director's decision may be appealed to the city council.

A supplemental river flood protection connection fee of nine dollars and twenty-four cents (\$9.24) per weighted fixture unit will be charged to each industrial/commercial discharger to which this ordinance applies, effective April 1, 2008.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law.

SECTION 9. This ordinance shall become effective upon passage, approval and publication.

SECTION 10. The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 11. If any subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall

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be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

PASSED AND ADOPTED this ____ day of _____, 20____, by the following vote of the City Council:

AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

APPROVED this ____ day of _____, 20____, by:

RONALD E. SMITH, Mayor

ATTEST:

TERESA GARDNER, City Clerk

**APPROVED AS TO FORM AND
LEGALITY:**

CHESTER H. ADAMS, City Attorney