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BILL NO. 4-5-22-1

SUMMARY – An ordinance to amend Clark County Code Title 9, Chapter 9.04, to revise and add certain definitions; provide for commercial rates for certain residences from which a business is conducted; provide for overflow charges in certain circumstances; provide for bulky item collection at multifamily complexes; updates the rates and charges to current amounts; requires mandatory subscription to solid waste collections services for all premises; changes the annual rate increases based on the Consumer Price Index to an index rate based on water, sewer and trash collection services; clarifies and enhances certain customer service and repair standards; clarifies certain telephone answering standards; allows franchisee to withhold solid waste collection services to commercial and industrial customers in certain circumstances; and providing for other matters properly related thereto.

**ORDINANCE NO.** 4936

(of Clark County, Nevada)

AN ORDINANCE TO AMEND CLARK COUNTY CODE TITLE 9, CHAPTER 9.04, TO REVISE AND ADD CERTAIN DEFINITIONS; PROVIDE FOR COMMERCIAL RATES FOR CERTAIN RESIDENCES FROM WHICH A BUSINESS IS CONDUCTED; PROVIDE FOR OVERFLOW CHARGES IN CERTAIN CIRCUMSTANCES; PROVIDE FOR BULKY ITEM COLLECTION AT MULTIFAMILY COMPLEXES; UPDATES THE RATES AND CHARGES TO CURRENT AMOUNTS; REQUIRES MANDATORY SUBSCRIPTION TO SOLID WASTE COLLECTIONS SERVICES FOR ALL PREMISES; CHANGES THE ANNUAL RATE INCREASES BASED ON THE CONSUMER PRICE INDEX TO AN INDEX RATE BASED ON WATER, SEWER AND TRASH COLLECTION SERVICES; CLARIFIES AND ENHANCES CERTAIN CUSTOMER SERVICE AND REPAIR STANDARDS; CLARIFIES CERTAIN TELEPHONE ANSWERING STANDARDS; ALLOWS FRANCHISEE TO WITHHOLD SOLID WASTE COLLECTION SERVICES TO COMMERCIAL AND INDUSTRIAL CUSTOMERS IN CERTAIN CIRCUMSTANCES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

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THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK,  
STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION ONE.** Title 9, Chapter 9.04, Section 9.04.010 of the Clark County Code is hereby amended to read as follows:

**9.04.010 - Definitions.**

~~(a)~~ In the construction of this chapter, the ~~following~~ definitions contained in this chapter shall apply, unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense include the future tense; words in the plural number include the singular number, and words in the singular number include the plural number; the words "shall" and "will" are mandatory, and "may" is permissive.  
~~[permissive:]~~

**9.04.010.010 – Agricultural waste.**

~~(1)~~ "Agricultural waste" means all putrescible and nonputrescible waste material in solid or semi-solid form that is generated by the rearing of animals other than household pets, or the production and harvesting of crops or trees, for profit in compliance with allowed uses pursuant to Title 30 of this Code, and that has not been discarded or abandoned by its owner. Agricultural waste also includes waste from production or harvesting of cannabis disposed of in accordance with Chapters 8.60 and 8.65 of this Code.

**9.04.010.020 – Board.**

~~(2)~~ "Board" means the board of county commissioners of the county of Clark, Nevada.

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**9.04.010.030 – Bulky item.**

~~(3)~~ "Bulky item" means any large item that would normally be in a residential household that does not fit into a residential trash or recycling [~~container~~] wheeled cart that has been provided by a franchisee, including, but not limited to appliances, carpet, mattresses and stoves/microwaves that can be handled by a two-person crew.

**9.04.010.040 – Buy-back center.**

~~(4)~~ "Buy-back center" means a facility operated by a licensed commercial recycler or registered charitable organization where persons may bring recyclables in exchange for payment.

**9.04.010.050 – CFR.**

~~(5)~~ "CFR" means the Code of Federal Regulations which is the codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government.

**9.04.010.060 – Commercial recycler.**

~~(6)~~ "Commercial recycler" means any licensed entity, to include any licensed franchisee, that is in the business of purchasing, accepting donations of, collecting, storing, transporting or processing commercial source-separated recyclable materials.

**9.04.010.070 – Commercial source-separated recyclables.**

“Commercial source-separated recyclables” means recyclables generated by a commercial business that have been separated from the solid waste stream at the source for recycling purposes and that are not mixed with solid waste other than residual solid waste. In order for commercial

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source-separated recyclables to be recognized under Section 9.04.070(e), they may not contain more than ten percent (10%) residual waste.

#### **9.04.010.080 – Commingled recyclable materials.**

~~[(7)] "Commingled recyclable materials" means recyclable materials that have been abandoned or discarded and that are mixed with solid waste other than residual solid waste. [of more than one type, as defined in Section 9.04.010(37) of this chapter, that are combined together and that have been separated from the solid waste stream at the source of generation. The term does not include recyclable materials that are combined in such a manner that makes the material non-recyclable, such as the combination of motor oil and corrugated cardboard.]~~

#### **9.04.010.090 – Compacted solid waste.**

~~[(8)] "Compacted solid waste" means solid waste reduced by mechanical equipment, in volume but not weight, by a minimum ratio of three to one.~~

#### **9.04.010.100 – Construction and demolition waste.**

~~[(9)] "Construction and demolition waste" means non-hazardous solid waste resulting from the construction, remodeling, repair, and demolition of utilities and structures; and uncontaminated solid waste resulting from land clearing. Such waste includes, but is not limited to, wood (including painted, treated, and coated wood and wood products), land clearing debris, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles and other roofing coverings, glass, plastics that are not sealed in a manner that conceals other wastes, empty buckets ten (10) gallons or less in size and having no more than one (1) inch of residue remaining on the bottom, electrical wiring and components containing no hazardous liquids, pipe and metals, corrugated~~

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container board, carpeting, furniture, and tires, that are incidental to any of the above. Solid waste that is not construction and demolition debris, (even if resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads and land clearing) includes, but is not limited to, asbestos waste, garbage, electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, fluorescent light bulbs or tubes, appliances, drums, containers greater than ten (10) gallons in size, any containers having more than one (1) inch of residue remaining on the bottom, or fuel tanks.

#### 9.04.010.110 – County.

~~[(10)]~~ "County" means the county of Clark, Nevada, the geographic areas of the unincorporated county, and includes the districts and entities governed ex officio by the board.

~~[(11)]—“CPI-U” means Consumer Price Index, All Urban Consumers for All Items, U.S. City Average (1982-84=100), as published by the U.S. Department of Labor, Bureau of Labor Statistics, Washington, D.C.]~~

#### 9.04.010.120 – Curbside recyclables collection.

~~[(12)]~~ “Curbside recyclables collection” means a collection program operated by a franchisee in which source-separated recyclable materials are collected from residential customers on a regularly scheduled basis as part of the franchisee’s solid waste business.

#### 9.04.010.130 – Dead animals.

~~[(13)]~~ "Dead animals" means all dead animals or parts thereof (including condemned meats) that are not intended to be used as food for man or animal.

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**9.04.010.140 – Dirt.**

~~(14)~~ "Dirt" means loose earth, ashes and manure, but exclusive of sand and gravel that is to be used in construction work.

**9.04.010.150 – Drop-off center.**

~~(15)~~ "Drop-off center" means a collection site where source-separated recyclable materials may be taken by persons and deposited into designated containers.

**9.04.010.160 – Duplex.**

~~(16)~~ "Duplex" means a building or dwelling containing residential dwelling units for two separate families or occupants each receiving individual solid waste curbside collection.

**9.04.010.170 – Franchise agreement.**

~~(17)~~ "Franchise agreement" means an agreement between the county and a franchisee by which such franchisee is authorized to collect, transport and dispose of solid waste and/or perform curbside recyclables collection services in the county.

**9.04.010.180 – Franchise license fee.**

~~(18)~~ "Franchise license fee" means the fee required by a franchise agreement based upon a percentage of a franchisee's gross receipts derived from the collection, transportation and disposal of solid waste and/or curbside recyclables collection services in the county.

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**9.04.010.190 – Franchisee.**

[(19)] "Franchisee" means any person who has contracted with the county for collection, transportation and disposal of solid waste and/or the performance of curbside recyclables collection.

**9.04.010.200 – Garbage.**

[(20)] "Garbage" means putrescible animal and vegetable wastes, other than source-separated ~~[source-separated]~~ recyclable materials, that result from the handling, storage, sale, preparation, cooking, and serving of food and that have been discarded or abandoned.

**9.04.010.210 – Gross receipts.**

[(21)] "Gross receipts" means all receipts derived from the collection of solid waste and curbside recyclables collection services and includes, by way of illustration and not limitation, all cash, credits, property or other consideration of any kind derived directly or indirectly by a franchisee (or any of its authorized agents or affiliates) for the collection, transportation and disposal of solid waste, including all revenue received from residential service (including any charges attributable to curbside recyclables collection services), commercial and industrial service, medical waste service, sewage waste service, container rentals, packaging, shipping and late fees, but excluding the following revenues from: (A) the sale of recyclables; and (B) any taxes on services furnished by a franchisee that are imposed by other governmental entities, that are passed through to and collected from the franchisee's customers, and that are separately itemized on customers' bills.

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#### 9.04.010.220 – Hazardous waste.

~~[(22)]~~ "Hazardous waste" means any waste or combination of wastes, including, without limitation, solids, semisolids, liquids or contained gases, except household waste, which: ~~[with properties that make it dangerous or potentially harmful to human health or the environment. In regulatory terms, a Resource Conservation and Recovery Act hazardous waste is a waste that exhibits at least one of four characteristics—ignitability, corrosivity, reactivity, or toxicity or that appears on one of the four hazardous waste lists:~~

- ~~(A)—F-list (non-specific source wastes),~~
- ~~(B)—K-list (source-specific wastes),~~
- ~~(C)—P-list (discarded commercial chemical products), or~~
- ~~(D)—U-list (discarded commercial chemical products).]~~

(a) Because of its quantity or concentration or its physical, chemical or infectious characteristics may:

(1) Cause or significantly contribute to an increase in mortality or serious irreversible or incapacitating illness; or

(2) Pose a substantial hazard or potential hazard to human health, public safety or the environment when it is given improper treatment, storage, transportation, disposal or other management.

(b) Is identified as hazardous by the Nevada Department of Conservation and Natural Resources as a result of studies undertaken for the purpose of identifying hazardous wastes.

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- (c) Includes material listed or characterized as hazardous by the United States Environmental Protection Agency or any state agency pursuant to the Resource Conservation and Recovery Act of 1976.
- (d) Includes, among other wastes, toxins, corrosives, flammable materials, irritants, strong sensitizers and materials which generate pressure by decomposition, heat or otherwise.

**9.04.010.230 – Home occupation solid waste.**

“Home Occupation Solid Waste” means solid waste or other refuse which is generated from a single-family residence with a licensed home occupation (as defined in Title 30) and which has solid waste or refuse or recyclables that consistently exceeds the capacity of the wheeled carts provided by franchisee for more than ninety (90) days.

**9.04.010.240 – Household hazardous waste.**

“Household hazardous waste” means hazardous products that are used and disposed of by residential consumers and does not include hazardous waste used and disposed of by commercial or industrial consumers. Household hazardous waste is exempted from hazardous waste regulations (40 CFR 261.4(b)(1)).

**9.04.010.250 – Incidental non-recyclable waste.**

~~(23)~~ "Incidental non-recyclable waste" means the non-recyclable components of white goods, whole computers, or whole automobiles for which dismantling and separation of recyclable from non-recyclable components by the generator are impractical, such as insulation or electronic components in white goods.

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**9.04.010.260 – Materials recovery facility (construction or demolition waste).**

~~(24)~~ "Materials recovery facility (construction or demolition waste)" means a solid waste management facility, operating pursuant to a permit issued by the Southern Nevada Health District ~~[health district]~~, a business license issued by the county, and a land use permit issued by the county in accordance with Title 30 of this code, that provides for the extraction from construction or demolition waste of those recyclable materials that may be found in construction or demolition waste. The term does not include:

- (a) ~~(A)~~ A facility that receives only recyclable materials that have been separated at the source of waste generation;
- (b) ~~(B)~~ A salvage yard for the recovery of used motor vehicle parts;
- (c) ~~(C)~~ A facility that receives, processes or stores only concrete, masonry waste, asphalt pavement, brick, uncontaminated soil or stone for the recovery of recyclable materials; and
- (d) ~~(D)~~ A facility that recovers less than twenty-five (25%) percent by weight of recyclable material from the solid waste received.

**9.04.010.270 – Medical waste.**

~~(25)~~ "Medical waste" means any solid waste that is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals, excluding hazardous waste identified or listed under 40 CFR Part 261 or any household waste as defined in 40 CFR Subsection 261.4(b)(1).

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**9.04.010.280 – Mining waste.**

[~~(26)~~] "Mining waste" means residues which result from the extraction of raw materials from the earth and which are dumped on land owned by the mining operation that extracted them.

**9.04.010.290 – Motel.**

[~~(27)~~] "Motel" means a building or group of buildings whose main function is to provide temporary lodging and which does not offer conference rooms, restaurants or similar amenities to its customers in addition to sleeping quarters.

**9.04.010.300 – Multiple dwellings.**

[~~(28)~~] "Multiple dwellings" means [~~three~~] five (5) or more residential dwelling units which are grouped together under the management of one person and which do not require separate individual collection of solid waste.

**9.04.010.310 – Non-residential customer.**

[~~(29)~~] "Non-residential customer" means any solid waste disposal service customer of a franchisee except for customers at single-family residences, duplexes, three plexes, four plexes, or mobile home residences that receive individual curbside collection of solid waste and do not share containers with other residents.

**9.04.010.320 – Overflow or overflowing solid waste.**

[~~(30)~~] "Overflow" or "overflowing solid waste" means solid waste of non-residential customers or residential customers with a residential small container that is deposited on the ground outside of a solid waste container (except for any items bundled in accordance with Section 9.04.140) or

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excess solid waste that has been piled into and/or, on top of ~~[onto]~~ a solid waste container that is already full and the lid of the container is unable to be closed by less than twelve (12) inches ~~[to such an extent that the excess solid waste will spill onto the ground in the emptying process, requiring more than minimal manual cleanup of waste from the ground].~~

#### **9.04.010.330 – Permitted recyclable materials.**

~~[(31)]~~ "Permitted recyclable materials" means recyclable materials that are permitted by the Southern Nevada Health District, as the solid waste management authority, that can be received, accepted or processed by a recycling facility.

#### **9.04.010.340 – Person.**

~~[(32)]~~ "Person" means any state or federal agency; any state, including the State of Nevada; a political subdivision of any state; an interstate agency or organization; any firm, partnership, corporation, or Limited Liability Company (LLC) meeting all the legal requirements of the State of Nevada; or a natural person.

#### **9.04.010.350 – Place of business.**

~~[(33)]~~ "Place of business" means any place of business in the county, other than multiple dwellings, motels or mobile home parks with commercial solid waste service, to conduct ~~[or carry on principally or exclusively]~~ any pursuit or occupation for the purpose of gaining a livelihood.

#### **9.04.010.360 – Premises.**

~~[(34)]~~ "Premises" means a commercial or residential lot, including any buildings, improvements, and personal property located thereon.

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**9.04.010.370 – Public building.**

~~(35)~~ "Public building" means office buildings, clubs, churches, schools, hospitals or other places of similar character.

**9.04.010.380 – Putrescible.**

~~(36)~~ "Putrescible" means capable of being decomposed by microorganisms with sufficient rapidity as to cause nuisances from odor or gases.

**9.04.010.390 – Recyclable materials or recyclables.**

~~(37)~~ "Recyclable materials," or "recyclables" means solid waste that can be processed and returned to the economic mainstream in the form of raw materials or products, including, but not limited to:

- (a) Newspaper;
- (b) Corrugated cardboard;
- (c) Aluminum;
- (d) Yard debris (material generated from plants, including trees, bushes, sod, and grass clippings on residential or business property);
- (e) Office paper;
- (f) Glass;
- (g) Tin and steel cans;
- (h) Metal;
- (i) Motor oil;

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- (j) Plastic;
- (k) Antifreeze;
- (l) Wood; and
- (m) Food waste.

**9.04.010.400 – Recycling center.**

~~(38)~~ "Recycling center" means a facility designed and operated to receive, store, or process recyclable material which has been separated at the source from all but residual solid waste (ref. NRS 444A.014). The center must receive, store and process only source-separated recyclable materials, for which there is an available market to be permitted as a recycling center. The recyclable materials must be separated from the solid waste stream at the source of waste generation. A recycling center may not receive any solid waste, other than residual solid waste, commingled with recyclables at the recycling facility. The term "recycling center" does not include a:

- (a) Materials recovery facility;
- (b) Transfer station;
- (c) Compost plant;
- (d) Hazardous waste recycling facility permitted by the Nevada Department of Environmental Protection or the United States Environmental Protection Agency;
- (e) Convenience center or public waste storage bin facility;
- (f) Drop off bins; and

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(g) Agricultural waste facility.

#### **9.04.010.410 – Refuse.**

~~(39)~~ "Refuse" means those discarded materials that have no useful physical, chemical, or biological properties after serving their original purpose and that cannot be reused or recycled for the same or other purposes, including medical waste, but excluding mining waste, agricultural waste, source-separated recyclable materials and incidental non-recycled waste.

#### **9.04.010.420 – Residential small container.**

"Residential small container" means a container rented by a residential customer from the franchisee or a container owned by a residential customer used for solid waste and which comes in a capacity of either one (1), two (2) or a maximum of three (3) cubic yards and is subject to the weight and capacity limitations set forth in this chapter. A residential small container is separate and distinct from a residential solid waste container (provided by customer) and wheeled cart (provided by franchisee).

#### **9.04.010.430 – Residential solid waste container.**

~~(40)~~ "Residential solid waste container" means a receptacle, provided by customer, excluding trash bags, capable of storing solid waste that is constructed of a rigid material such as plastic or metal that is used for the temporary storage of solid waste and that is equipped with handles and covers appropriate for the container design.

#### **9.04.010.440 – Residual solid waste.**

~~(41)~~ "Residual solid waste" means an amount of material that was collected at the site of generation, other than permitted recyclable material, that remains or is left after the separation and

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removal of permitted, source-separated recyclable materials, as defined in Section 9.04.010 ~~[9.04.010(37)]~~ of this chapter, that does not exceed ten percent (10%) by weight, if scales are available at the facility, or by volume, if scales are not installed at the facility, of the total amount of materials prior to separation, and that cannot be recycled and returned to the economic mainstream and must be disposed of as solid waste pursuant to this chapter of the Code and the applicable regulations of the solid waste management authority. In this subsection, "facility" means any location that is permitted by the solid waste management authority to accept recyclable materials.

#### 9.04.010.450 – Rubbish.

~~[(42)]~~ "Rubbish" means nonputrescible wastes, other than source-separated recyclable materials, that have been discarded or abandoned such as paper, cardboard, automobiles, cans, wood, glass, bedding, crockery and similar materials.

#### 9.04.010.460 – Rural solid waste service area.

~~[(43)]~~ "Rural solid waste service area" means the geographic area of the unincorporated county outside of special solid waste service areas and urban solid waste service areas, as may be further defined in a franchise agreement.

#### 9.04.010.470 – Sewage waste.

~~[(44)]~~ "Sewage waste" means any and all ~~[solid or semi-solid]~~ waste, including, but not limited to, biosolids, sludge, screenings, ~~[and]~~ grit, grease and filter media generated from the operations ~~[operation]~~ of the Clark County Water Reclamation District, ~~[water reclamation district]~~ but does not include hazardous waste managed pursuant to NRS 459.400 through 459.600, inclusive.

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#### **9.04.010.480 – Short term residential rental.**

“Short Term Residential Rental” shall have the meaning set forth in Title 7 of the Clark County Code upon such effective date.

#### **9.04.010.490 – Single-family residence.**

~~[(45)]~~ "Single-family residence" means a building or dwelling designed or used for single-family residential occupancy, and where no ~~[more than a licensed home occupation]~~ business is conducted (other than a licensed home occupation business that does not generate any commercial solid waste), and includes a mobile home, apartment and other unit in a multiple dwelling which receives individual ~~[and heavy and bulky item collection]~~ residential collection of solid waste, bulky items and recyclables.

#### **9.04.010.500 – Single-stream recycling system.**

~~[(46)]~~ "Single-stream recycling system" means a system in which multiple types of recyclable materials are combined ~~[mixed]~~ in a single container for collection by a franchisee instead of first being sorted ~~[into commodities]~~ by a ~~[the]~~ residential customer into separate containers before such collection.

#### **9.04.010.510 – Solid waste.**

~~[(47)]~~ "Solid waste" means all putrescible and nonputrescible materials ~~[refuse]~~ in solid, or semisolid~~[, or liquid]~~ form~~[, including, but not limited to, garbage; rubbish; junk vehicles; ashes or incinerator residue; street refuse; dead animals; demolition waste; construction waste; solid, semisolid, or liquid commercial and industrial waste; sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material, including~~

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~~solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved material in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act (Clean Water Act), as amended (86 Stat. 880), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923), or hazardous waste as defined in the Resource Conservation Recovery Act, Subpart C] that have been discarded or abandoned by their owner, including garbage, rubbish, junk vehicles and parts, ashes or incinerator residue, street refuse, dead animals, construction or demolition waste, commercial or industrial waste, medical waste, sewage waste, commingled recyclable materials and other refuse. The term "solid waste" does not include any of the following:~~

(a) Hazardous waste managed pursuant to NRS 459.400 through 459.600, inclusive.

(b) Commercial source-separated recyclables.

#### **9.04.010.520 – Solid waste management authority.**

"Solid waste management authority" – means the Southern Nevada Health District or its successor with regard to the regulation of solid waste management in Clark County. With regard to any other location in the State of Nevada, the term refers to the state or county entity charged with the regulation of solid waste management at that location.

#### **9.04.010.530 – Source-separated recyclable materials.**

[(48)] "Source-separated recyclable materials" means [~~solid waste that include single recyclable or commingled recyclable materials~~] recyclables that have been separated from the solid waste

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stream~~[, with ten percent or less by weight or volume of residual solid waste, at the site of generation]~~ at the source for recycling purposes and that are not mixed with solid waste other than residual solid waste.

#### 9.04.010.540 – Special solid waste service area.

~~[(49)]~~ "Special solid waste service area" means a limited rural geographic area, generally conforming to an unincorporated town boundary or other special area of the unincorporated county in which solid waste collection and disposal service is provided through a franchise agreement or contract approved by the board that may set rates and terms separately from this chapter.

#### 9.04.010.550 – Unforeseen economic circumstance.

~~[(50)]~~ "Unforeseen economic circumstance" means:

- ~~(a)~~ ~~[(A)]~~ A percentage change in the water, sewer and trash collection services CPI ~~[CPI-U]~~ for a given twelve-month period that is greater than six and a half percent (6.5%) ~~[ten percent]~~ or below zero percent (0%) (a decrease);
- ~~(b)~~ ~~[(B)]~~ An adverse economic occurrence beyond a franchisee's reasonable control;
- ~~(c)~~ ~~[(C)]~~ A finding by the board or other governmental jurisdiction that there have been economic occurrences during that period that have caused specific additional economic costs for a franchisee which are not reflected in the changes to the ~~[CPI-U]~~ Water, Sewer, and Trash Collection Services CPI during that same period.

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**9.04.010.560 – Urban solid waste service area.**

~~(51)~~ "Urban solid waste service area" means the solid waste collection service areas defined in exclusive franchise agreements for solid waste collection service for unincorporated urban areas of Las Vegas, Blue Diamond, and Laughlin, excluding any special solid waste service area, as defined in those respective franchise agreements or subsequent franchise agreements, as from time to time amended.

**9.04.010.570 – U.S.C.**

~~(52)~~ "U.S.C." means the United States Code which is the consolidation and codification by subject matter of the general and permanent laws of the United States.

**9.04.010.580 – Water, Sewer and Trash Collection Services CPI.**

"Water, Sewer and Trash Collection Services CPI" means the Historic Consumer Price Index (CPI) for water and sewer and trash collection services, U.S. city average, all urban consumers, not seasonally adjusted (Current Series ID: CUUR0000SEHG), as published by the U.S. Department of Labor, Bureau of Labor Statistics.

**9.04.010.590 – Wheeled cart.**

"Wheeled Cart" means the receptacle provided to a residential customer by a franchisee (whether at no charge or by means of rental) for use in the collection of solid waste and in single-stream recycling which generally come in approximately thirty-five (35), sixty-five (65) or ninety-five (95) gallon sizes.

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**9.04.010.600 – White goods.**

~~(53)~~ "White goods" means large household appliances including, but not limited to, refrigerators, washing machines, clothes dryers, stoves, dish washers, that were primarily finished with white enamel, but now are sold in other colors.

**SECTION TWO.** Title 9, Chapter 9.04, Section 9.04.040 of the Clark County Code is hereby amended to read as follows:

**9.04.040 Contractors subject to rules and regulations.**

Any person collecting, transporting, processing, or disposing of solid waste, hazardous waste or recyclables shall do so subject to the ordinances, rules and regulations of the county, Southern Nevada Health District ~~[health district]~~, the State ~~[state]~~ of Nevada and the federal government.

**SECTION THREE.** Title 9, Chapter 9.04, Section 9.04.050 of the Clark County Code is hereby amended to read as follows:

**9.04.050 Unlawful disposal of solid waste – Identification of violator.**

It is unlawful for any person to:

- (a) Throw or deposit, or cause to be thrown or deposited, in any street, alley, gutter or highway within the limits of the county, any solid waste, hazardous waste or recyclables.
- (b) Throw or deposit, or cause to be thrown or deposited, any solid waste, hazardous waste, or recyclables upon private or public property or premises or into the containers of another person or entity, except as may be provided for in this chapter.

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- (c) Place, deposit, or accumulate, or cause to be placed, deposited or accumulated, any solid waste, hazardous waste or recyclables in such a manner, or permit the same to remain on his or her premises, in such condition so that the same may be blown or carried over to public or other private property by any means whatsoever.
- (d) Throw or deposit or cause to be thrown or deposited any solid waste, hazardous waste or recyclables in any areas of the county not designated, authorized or licensed by the county for deposit of these materials. Identification of the owner of any solid waste, hazardous waste or recyclables which is disposed of in violation of this section creates a reasonable inference that the owner is the person who disposed of the solid waste, hazardous waste or recyclables. The fact that the disposal of the solid waste, hazardous waste or recyclables was not witnessed does not, in and of itself, preclude the identification of its owner.

**SECTION FOUR.** Title 9, Chapter 9.04, Section 9.04.070 of the Clark County Code is hereby amended to read as follows:

**9.04.070 – Collecting or transporting solid waste and recyclables.**

Except in case of an emergency declared by the board under Section 9.04.080, it is unlawful for any person, other than the county, or a franchisee, or their duly appointed agents, to collect, haul, convey or transport any solid waste, or provide curbside recyclables collection; provided, however, that:

- (a) Construction or demolition waste that results directly from the activities of construction, remodeling, repair, and demolition of utilities and structures and uncontaminated solid waste that results directly from the activity of land clearing

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may be removed by any duly licensed construction, construction cleanup or demolition contractor and transported to a transfer station or disposal site operated by the county or its franchisee, to a materials recovery facility (construction or demolition waste), or other transfer station or disposal facility legally authorized by the solid waste management authority having jurisdiction over the facility;

- (b) A duly licensed construction company, construction cleanup company, demolition contractor or materials recovery facility (construction or demolition) may transport the solid waste residue from an authorized materials recovery facility (construction or demolition waste), after separating out recyclable materials, to a transfer station or disposal facility legally authorized by the solid waste management authority having jurisdiction over the facility;
- (c) Any person may transport his or her own solid waste to a transfer station disposal site operated by the county or its franchisee. No residential customer shall utilize an agent to transport his or her own solid waste unless the agent is a member of that person's immediate family or that person's caregiver;
- (d) Any person may transport his or her own source-separated recyclable materials to recycling centers, drop-off centers, or buy-back centers provided that the source-separated recyclable materials contain no more than ten percent (10%) residual solid waste by weight or volume;
- (e) Any duly licensed commercial recycler, in the legitimate course of such recycler's business, may buy or accept free of charge from any person; remove for a person for a fee; and/or transport for any person; source-separated recyclable materials provided

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that the source-separated recyclable materials contain no more than ten percent  
(10%) residual solid waste by weight or volume, other than curbside recyclables  
collection;

- (f) Any duly licensed and permitted septic tank or grease trap pumpers, licensed yard maintenance services and licensed tree trimmers may transport those materials accumulated in or generated by the performance of licensed services to a transfer station or disposal site operated by the county or its franchisee;
- (g) Any duly licensed commercial recycler [~~person~~] may haul, convey or transport recyclables to or from a [~~his~~] drop-off center, recycling center [~~to recycling centers~~] or buy-back center [~~centers~~]; and
- (h) A charitable organization qualified under the Federal Internal Revenue Code may collect source-separated recyclable materials from a residential or commercial premises at the express request of the owner, tenant, or occupant and may transport those recyclables to drop-off centers, recycling centers, or buy-back centers.

**SECTION FIVE.** Title 9, Chapter 9.04, Section 9.04.100 of the Clark County Code is hereby amended to read as follows:

**9.04.100 Requirements as to carts and vehicles.**

It is unlawful to use any cart or vehicle for the transportation or removal of solid waste or recyclables unless such cart or vehicle is appropriately constructed and covered, in accordance with Nevada Revised Statutes Section 484D.850 [~~484.771~~], to prevent or minimize odors from or leakage, sifting, spilling, drifting or blowing of such solid waste or recyclables in or upon the streets through which such cart or vehicle may be driven.

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SECTION SIX. Title 9, Chapter 9.04, Section 9.04.110 of the Clark County Code is hereby amended to read as follows:

9.04.110 – Qualified containers – Wheeled Carts – Provided. [~~Owners and residents to provide containers—Franchisee to provide wheeled carts.~~]

(a) With respect to [~~all~~] residential customers [~~in the urban solid waste service area~~] receiving once [~~twice~~] a week [~~curbside~~] solid waste collection service and once a [~~every other~~] week single-stream [~~curbside~~] recycling collection service, a franchisee shall provide each such customer, at no additional cost: [~~and to all residential customers in the rural solid waste service area receiving once a week curbside solid waste collection service and once every other week curbside recycling collection service, every person owning any premises or any person responsible for obtaining solid waste disposal service at premises, except as hereinafter provided, shall provide one or more containers sufficient for the depositing of all solid waste from the premises pursuant to minimum container requirements of this chapter. A solid waste franchisee may rent solid waste containers to its customers pursuant to the rates established by the board, but the responsibility for placement of such rented container remains with the customer who rents the container. A franchisee shall provide to its curbside recyclables collection customers, upon request and at no additional cost to such customers, appropriate containers for the storage and collection of recyclables.~~]

(1) One wheeled cart for solid waste and one wheeled cart for single-stream recycling, with capacities of approximately thirty-five (35), sixty-five (65) and ninety-five (95) gallons, based on then-current industry standards for such containers. A customer who pays for the collection, transportation and disposal of solid waste

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may thereafter request a cart of a different capacity, and the franchisee shall comply with the request within a reasonable period of time. A customer may request a different capacity container a maximum of five (5) times and no more frequently than once a year.

(2) One additional wheeled cart for solid waste or one additional wheeled cart for single-stream recycling, if requested by the customer who pays for the collection, transportation and disposal of solid waste.

(b) A customer receiving the type of service described in Subsection (a) of this Section may rent from the franchisee additional wheeled carts beyond those to be provided at no charge pursuant to Subsection (a) of this Section or may provide their own container subject to the approval by franchisee who shall confirm that the customer provided container is compatible with franchisee's equipment to collect such solid waste and recyclables. Franchisee is not responsible for any theft, loss or damage to a container provided by a customer. ~~[With respect to all residential customers in the urban and rural solid waste service areas receiving once a week curbside solid waste collection service and once a week curbside single-stream recycling collection service, a solid waste franchisee shall provide at no additional cost to such customers, one wheeled cart for recycling and one wheeled cart for solid waste in sizes, to be selected by the customer, with capacities, of approximately thirty-five, sixty-five or ninety-five gallons, based on industry standards for such containers current at the time. A resident may request one additional recycling cart or solid waste cart at no additional charge.]~~

**SECTION SEVEN.** Title 9, Chapter 9.04, Section 9.04.115 of the Clark County Code is hereby amended to read as follows:

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9.04.115 – Wheeled carts – Maintenance. ~~[Implementation of individual curbside recycling and solid waste collection.]~~

(a) Wheeled carts supplied by a franchisee pursuant to Section 9.04.110 shall remain the property of the supplying franchisee.

(b) Subject to the provisions of Subsections (c) and (d) of this Section, the supplying franchisee shall be responsible for general maintenance of wheeled carts at no cost to the customer.

(c) General maintenance of a wheeled cart under Subsection (b) of this Section includes repairs and replacements necessitated by normal wear and tear, but does not extend to:

(1) Maintaining the cleanliness of the wheeled cart; or

(2) Repairing or replacing a wheeled cart where the repair or replacement is necessitated by negligence or intentional damage by the customer.

(d) Customers are responsible for using reasonable care with respect to wheeled carts and their use.

~~[Not later than December 31, 2017] franchisee will complete implementation of the single stream recycling system for all curbside recyclables collection customers within unincorporated Clark County. The program will utilize wheeled carts for recycling and solid waste with a collection schedule of once per week for solid waste and once per week for recycling on regularly scheduled solid waste collection days and every other week for collection of bulky items on regularly scheduled solid waste collection days. Residential communities that are designed or configured in such a way as to make the single stream recycling program impractical, as determined by the~~

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~~franchisee with approval by the county manager or his or her designee, are exempt from this requirement as long as that impracticality exists.]~~

**SECTION EIGHT.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.117 to read as follows:

**9.04.117 – Residential Small Containers.**

(a) As of July 1, 2022, a residential customer who owns a single-family residence may request service for a residential small container in the urban service areas if the following criteria are met:

(1) The single-family residential lot must be a minimum of ten thousand eight hundred ninety (10,890) net square feet (1/4 acre);

(2) The residential small container must be placed a minimum of three (3) feet behind the edge of the paved right-of-way except as set forth in Section 9.04.117(a)(5). If the residential small container cannot be moved out of the right-of-way, except on collection day and as set forth in Section 9.04.117(a)(5), then the County shall have the authority to determine if the customer’s residential small container shall be removed and replaced with wheeled carts.

(3) Written approval from the homeowner’s association or governing body of the common-interest community is provided to the franchisee, if applicable;

(4) Franchisee has performed a site inspection to determine if service of a residential small container would be feasible at the single-family residence. If franchisee determines that service of a residential small container is not feasible, County will

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meet with franchisee and make a final determination if service of a residential small container is feasible at that location;

(5) A residential small container cannot be left in the right-of-way except within twenty-four (24) hours of the scheduled solid waste collection day;

(6) A maximum of one (1) residential small container is allowed per residence;

(b) For all residential customers who have both a residential small container (rented or provided by customer) and a wheeled cart for solid waste (provided by franchisee or container provided by customer), franchisee shall provide the option for the residential customer to keep either the wheeled cart for solid waste or the residential small container. If the residential customer keeps the residential small container, franchisee shall service the residential small container and the wheeled cart for recycling at the rates and service level set forth in Table 9.04.170A. If the residential customer retains the wheeled cart for solid waste, franchisee shall service the wheeled cart for solid waste and recycling at the rates and service level set forth in Table 9.04.170A. Franchisee will not provide separate weekly solid waste collection service for both the residential small container and the wheeled cart(s) for solid waste.

(c) If the residential customer would like a second weekly collection day for the residential small container, franchisee shall charge fifty dollars (\$50.00) per month for the additional weekly pickup as set forth in Table 9.04.170A.

(d) Franchisee shall provide written notice to affected customers within the urban service area detailing requirements set forth in this Section 9.04.117 and setting forth the service level

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of once per week collection of solid waste and once per week collection of recyclables along with the applicable rates.

- (e) Any residential customer whose residential small container has consistent overflowing solid waste over a ninety (90) day period prior to being emptied on collection day, shall be subject to overflow charges in the amount set forth in Table 9.04.205A, pursuant to the provisions of this Chapter. Such overflowing solid waste includes, but is not limited to, landscape clippings, agricultural waste, manure or other solid waste.
- (f) If a residential customer cannot move the residential small container out of the paved right-of-way as set forth in Section 9.04.117(a)(2), County shall have authority to determine if the customer's residential small container shall be removed and replace with wheeled carts.
- (g) Residents with residential small containers in the rural service areas shall be serviced with once per week solid waste collection and once per week recycling collection. Once per week solid waste collection includes service of residential small container and/or wheeled cart for solid waste. If any of the streets in the rural service areas are completed with pavement, curb, sidewalk and gutter, residents shall ensure that the residential small containers can be moved out of the right-of-way and setback a minimum of three (3) feet behind the paved right-of-way. Residential small containers are allowed to be placed within the paved right-of-way within twenty-four (24) hours of collection day. If a residential customer cannot move the residential small container out of the paved right-of-way, then the County shall have authority to determine if the customer's residential small container shall be removed and replaced with wheeled carts.

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**SECTION NINE.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.118 to read as follows:

**9.04.118 – Residential small container – Maintenance.**

(a) Residential small containers supplied by franchisee shall remain the property of the franchisee.

(b) Subject to provisions of Subsections (c) and (d) of this Section, franchisee shall be responsible for general maintenance of residential small containers at not cost to the customer.

(c) General maintenance of a residential small container under Subsection (b) of this Section includes repairs and replacements necessitated by normal wear and tear, but does not extend to:

(1) Maintaining the cleanliness of the residential small container; or

(2) Repairing or replacing a residential small container where the repair or replacement is necessitated by negligence or intentional damage by the customer.

(d) Customers are responsible for using reasonable care with respect to residential small containers and their use.

**SECTION TEN.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.119 to read as follows:

**9.04.119 – Contamination of Single-Stream Recyclables.**

(a) Residential recyclables should not include more than twenty percent (20%) contamination in the wheeled cart.

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- (b) If franchisee identifies routes with consistent recycling contamination, franchisee shall work with the County to create an education program for the residential customers within those routes to increase recycling. If the education does not minimize the recycling contamination, franchisee has the right to provide a survey to residents within the contaminated routes that allows the residential customer to opt out of the single-stream recycling program. If the residential customer opts out of the single-stream recycling program or does not respond to the survey about participating in the single-stream recycling program and continues to contaminate the recyclables, franchisee may remove the recycling cart and replace it with a wheeled cart for solid waste after notifying County of such action and providing addresses affected. Franchisee is not in violation of the Code or franchise agreement if a residential customer opts out of participating in the single-stream recycling program. A residential customer has the right to opt back into the single-stream recycling program and so long as there is not more than twenty percent (20%) contamination in the wheeled cart for recycling.
- (c) Upon request, the franchisee shall provide the County with documentation as outlined in Subsection (b) of this Section which predicated removal of the single-stream recycling containers from the residence.

**SECTION ELEVEN.** Title 9, Chapter 9.04, Section 9.04.120 of the Clark County Code is hereby amended to read as follows:

**9.04.120 Container restrictions.**

- (a) At any residence that receives individual curbside recyclables collection service [~~that is scheduled once every other week~~], each solid waste container which cannot be emptied by

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mechanical or hydraulic equipment shall have a capacity of not less than three (3) nor more than thirty-six (36) gallons and shall weigh no more than fifty (50) pounds, including the contents thereof and must be approved for use by franchisee.

(b) [~~All residences that receive individual weekly curbside recyclables collection service shall use the wheeled carts for solid waste and recycling. At any residence that receives individual weekly curbside recyclables collection service, franchisee shall provide bulky item collection service every other week for all solid waste that cannot fit in the wheeled carts provided by franchisee. For bulky item service collection, in addition to bulky items, a resident may utilize a container of no more than thirty six gallons and shall weigh no more than fifty pounds, including the contents thereof.~~]

~~(e)~~ Except for manual type drop-box containers listed in Table 9.04.190C, all solid waste containers shall be equipped with handles and covers appropriate for the container design. Each such container and cover shall be made of a material approved for such use by the franchisee [~~county~~]. Covers shall not be removed except when necessary to place solid waste therein. Each container and its cover shall be kept clean from accumulating grease and decomposing material.

(c) [~~(d)~~] Any non-residential customer who has a container overflowing with solid waste at the time of collection shall be subject to an overflow charge pursuant to Section 9.04.205 of this chapter.

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**SECTION TWELVE.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.145 to read as follows:

**9.04.145 – Bulky Item Collection.**

- (a) For any resident that receives single-stream recycling collection service, franchisee shall provide a separate collection service for bulky items. On the days such bulky item collection service is provided, a residential customer may put such items in a container other than a wheeled cart if the container has capacity of less than thirty-six (36) gallons and weighs no more than fifty (50) pounds (contents included).
- (b) Bulky items such as appliances that weigh more than fifty (50) pounds and can be picked up by a two-person crew shall be placed next to the wheeled carts or at curbside on the bulky item collection day.
- (c) Such bulky item collection shall not be more frequently than every other week and may include an on-demand option if provided by franchisee and agreed to by County.
- (d) Franchisee shall provide an option for on call bulky item collection at multifamily complexes if requested by the property management company for the multifamily complex. Franchisee shall charge a fee as set forth in Table 9.04.200B for each on call bulky item collection at the multifamily complex.
- (e) Franchisee and County may work together to test and implement alternative bulky item collection services.

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**SECTION THIRTEEN.** Title 9, Chapter 9.04, Section 9.04.150 of the Clark County Code is hereby amended to read as follows:

**9.04.150 Container removal from public view and placement for collection.**

- (a) On any single-family or duplex residential premises, it is unlawful to place, keep, store or locate within the public right-of-way of a street, sidewalk or alley, or within any front yard as defined in the zoning regulations of the county, any solid waste or recycling container; provided, however, that such container may be placed within such area, except for vehicle lanes, for the purpose of the collection thereof within twenty-four (24) hours of the scheduled solid waste collection day. [~~no earlier than two p.m. on the day prior to designated collection day and must be removed no later than midnight on the designated collection day.~~]
- (b) No person shall place a container for collection in a location that does not provide sufficient space for a disposal vehicle to safely access the location, including without limitation a location along a roadway that will not accommodate a vehicle the size of a disposal truck or provide for a safe exit of a disposal truck without unreasonable backing up.

**SECTION FOURTEEN.** Title 9, Chapter 9.04, Section 9.04.160 of the Clark County Code is hereby amended to read as follows:

**9.04.160 Commercial container storage and enclosure.**

On any multifamily [~~multi-family~~], commercial or industrial premises, it is unlawful to place, keep, store or locate any solid waste or recyclables container within the right-of-way of a street, sidewalk or alley, except during collection days as specified in Section 9.04.150 of this chapter. Containers

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shall be stored within an enclosure if an enclosure was required in connection with development approval or is otherwise provided on the premises.

**SECTION FIFTEEN.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.165 to read as follows:

**9.04.165 Minimum container and service level requirements for certain customers.**

(a) Every non-residential customer shall provide cubic-yard or ninety-six (96) gallon mobile containers for the solid waste generated from the customer's premises in accordance with the minimum container requirements set forth in this Section.

(b) For attached dwellings with four (4) units or less, the premises must have a cubic yard container service of at least one (1) cubic yard container and be serviced with the same frequency as single-family residential collection of solid waste and recyclables, irrespective of occupancy or vacancy of any dwelling units.

(c) For multiple dwellings with five (5) or six (6) dwelling units, the premises must have cubic yard container service equivalent to at least two (2) cubic yard container serviced twice per week, irrespective of occupancy or vacancy of any dwelling units.

(d) For multiple dwellings with seven (7) or more dwelling units, the premises must have cubic yard container service equivalent to at least the greater of the following:

(1) A three (3) cubic yard container serviced twice per week, irrespective of occupancy or vacancy of any dwelling units; or

(2) One-fourth (1/4) of a one (1) cubic yard container per dwelling unit serviced once per week, irrespective of occupancy or vacancy of any dwelling units.

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- (e) For mobile home parks that do not have individual service at each mobile home space, the premises must have cubic yard container service equivalent to at least one-fourth (1/4) of one (1) cubic yard container per mobile home space serviced once per week, irrespective of occupancy or vacancy of any mobile home spaces.
- (f) For motels with at least fifty percent (50%) of the total units having cooking facilities, the premises must have cubic yard container service equivalent to at least one-fifth (1/5) of a one (1) cubic yard container per unit serviced once per week, irrespective of occupancy or vacancy of any units.
- (g) For motels with less than fifty percent (50%) of the total units having cooking facilities, the premises must have cubic yard container service equivalent to at least one-tenth (1/10) of a one (1) cubic yard container per unit serviced once per week, irrespective of occupancy or vacancy of any units.
- (h) For each place of business or public building that does not require more than two (2) ninety-six (96) gallon mobile containers to contain the solid waste generated from the premises, the premises must have at least one (1), but not more than two (2), ninety-six (96) gallon mobile containers and serviced once per week.
- (i) For each place of business or public building that requires more than two (2) ninety-six (96) gallon mobile containers to contain the solid waste generated from the premises, the premises must have cubic yard container service sufficient to contain such solid waste.
- (j) The container and service level requirements in this Section are intended to be only minimum requirements for non-residential customers. Compliance with such requirements does not constitute compliance with a customer's obligation to provide sufficient container

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capacity pursuant to Section 9.04.120 if the solid waste generated from the premises requires solid waste service that exceeds the requirements in this Section.

(k) Notwithstanding anything in this Section, franchisee and County reserve the right to determine if the container size and/or frequency of service is sufficient for solid waste generated on the premises.

(l) Any overflow shall be subject to overflow charges in accordance with Section 9.04.205 of this Chapter.

(m) Any short term residential rental unit that has curbside solid waste collection service and obtains any permit or business license that may be required by the County to provide transient lodging shall be charged a rate as specified in Table 9.04.170B and shall be considered a non-residential customer for purposes of container capacity requirements, overflow and solid waste collection charges.

**SECTION SIXTEEN.** Title 9, Chapter 9.04, Section 9.04.170 of the Clark County Code is hereby amended to read as follows:

**9.04.170 Charges—Single-family and multiple dwelling residential.**

(a) Single-family residential rates apply to those franchised service areas of the unincorporated county based on the urban or rural solid waste service area. These rates only include solid waste generated from the residence and does not include solid waste generated at the single-family residence for a commercial business, except for short term residential rental units. A franchisee shall charge a monthly fee billed quarterly in advance, for collecting, transporting and disposing of solid waste and collecting and transporting recyclables at residential premises in urban and rural

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solid waste service areas as determined in accordance with Table 9.04.170A and at residential units with individual curbside service that provide transient lodging services as determined in accordance with Table 9.04.170B. The county manager, a franchisee and specific property owners in designated controlled areas may agree upon alternate collection schedules for specified test periods for the purpose of testing recycling options. Rural solid waste service area residential customers shall be limited to a maximum of five (5) ninety-five-gallon carts, or the equivalent capacity if smaller carts are used, per collection. The property owner of any single-family residence is responsible for payment of all charges for the collection of solid waste and recyclables whether or not the property owner actually resides in the single-family residence. The property owner shall be the named party on each quarterly bill. Failure by the property owner to pay such charges, shall be subject to charges, penalties and liens in accordance with Section 9.04.250.

(b) Multiple Dwellings.

~~(+)~~ A franchisee shall charge a monthly fee, billed quarterly in advance, for collecting, transporting and disposing of solid waste at multiple dwellings, and the individual living units therein, in urban and rural solid waste service areas, that is determined in accordance with Table 9.04.170A, regardless of whether any of the units are vacant.

**Table 9.04.170A**

**Single-Family ~~Duplex~~ and Multiple Dwelling Rates with Individual Curbside Service (Monthly Rates billed quarterly)\***

Category	Collection Level	Monthly Fee* <del>[(Billed Quarterly)*]</del>
<del>[Urban Service Area Single-Family Residence and Duplex—(Non-Single-Stream</del>	<del>[Twice per week solid waste, every 2 weeks recycling]</del>	<del>[\$11.82]</del>

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<del>Recycling Collection Service)]</del>		
<u>Urban Service Area – Single-Family Residences, Duplexes, tri-plexes and four plexes with individual service</u> <del>[Urban Service Area Single-Family Residence and Duplex – (Single-Stream Recycling Collection Service)]</del>	Once per week <u>for</u> solid waste, once per week <u>for</u> recycling, every other week <u>for</u> bulky item [ <del>solid waste</del> ]	\$( <del>11.82</del> ) <u>15.65</u>
<u>Urban Service Area – Single-Family Residences, Duplexes, tri-plexes and four plexes with individual service</u>	<u>A second weekly collection day for solid waste for a residential small container only</u>	\$50.00
<del>[Rural Service Area Single-Family Residence and Duplex – (Non-Single-Stream Recycling Collection Service)]</del>	<del>[Once per week solid waste, every 2 weeks recycling]</del>	<del>[\$12.02]</del>
Rural Service Area Single-Family [ <del>Residence</del> ] <u>Residences, Duplexes, tri-plexes and four plexes with individual service</u> [ <del>and Duplex – (Single-Stream Recycling Collection Service)]</del>	Once per week <u>for</u> solid waste, once per week <u>for</u> recycling, <u>every other week for bulky item solid waste</u>	\$( <del>12.02</del> ) <u>15.92</u>
<del>[Urban Service Area Multiple Dwellings without individual service (regardless of unit vacancies)]</del>	<del>Twice per week solid waste</del>	<del>\$8.80 for 1st unit on a stop; \$6.15 for each additional unit on a stop</del>
	<del>Three times per week</del>	<del>\$13.20 1st unit; \$9.23 each additional unit</del>
	<del>Four times per week</del>	<del>\$16.13 1st unit; \$11.27 each additional unit</del>

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	<del>Five times per week</del>	<del>\$19.07 1st unit; \$13.33 each additional unit</del>
	<del>Six times per week</del>	<del>\$22.00 1st unit; \$15.39 each additional unit</del>
	<del>Seven times per week</del>	<del>\$24.93 1st unit; \$17.45 each additional unit</del>
<u>Rural Service Area Multiple Dwellings (regardless of unit vacancies)</u>	<u>Once per week solid waste</u>	<u>\$8.99 for 1st unit on a stop; \$6.30 for each additional units on a stop]</u>

**Multiple Dwelling Rates without Individual Curbside Service**  
**(Monthly Rates billed quarterly)\***

<u>Category &amp; Service Level</u>	<u>Monthly Fee</u>	<u>Monthly Fee (Billed quarterly)*</u>
<u>Multiple Dwellings without Individual Service – Irrespective of Occupancy</u>	<u>1st Stop</u>	<u>Each Additional Stop</u>
<u>Urban Service Area:</u>		
<u>Twice per week</u>	<u>\$11.65</u>	<u>\$ 8.16</u>
<u>Three times per week</u>	<u>\$17.53</u>	<u>\$12.23</u>
<u>Four times per week</u>	<u>\$21.37</u>	<u>\$14.94</u>
<u>Five times per week</u>	<u>\$25.26</u>	<u>\$17.66</u>
<u>Six times per week</u>	<u>\$29.16</u>	<u>\$20.40</u>
<u>Seven times per week</u>	<u>\$33.03</u>	<u>\$23.13</u>
<u>Rural Service Area Multiple Dwellings (regardless of unit vacancies) once per week for solid waste</u>	<u>\$11.88</u>	<u>\$ 8.34</u>

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**Table 9.04.170B**

**Residential Units with Individual Curbside Service that provide**

**Transient Lodging Services (Monthly Rates billed quarterly)\***

**Short Term Residential Rental - Solid Waste Collection Rates**

<u>Container Size</u>	<u>1 Pickup per week</u>	<u>2 Pickups per week</u>	<u>3 Pickups per week</u>	<u>4 Pickups per week</u>	<u>5 Pickups per week</u>	<u>6 Pickups per week</u>	<u>7 Pickups per week</u>
<u>96 Gallon Mobile Container</u>	<u>\$10.49</u>	<u>\$21.00</u>	<u>\$31.48</u>	<u>\$48.45</u>	<u>\$66.45</u>	<u>\$87.33</u>	<u>\$104.69</u>
<u>Each Additional Container</u>	<u>\$10.49</u>	<u>\$21.00</u>	<u>\$31.48</u>	<u>\$48.45</u>	<u>\$66.45</u>	<u>\$34.86</u>	<u>\$41.94</u>
<u>1 Cubic Yard Container</u>	<u>\$52.34</u>	<u>\$104.69</u>	<u>\$157.05</u>	<u>\$174.35</u>	<u>\$196.85</u>	<u>\$226.76</u>	<u>\$272.42</u>
<u>Each Additional Container</u>	<u>\$52.34</u>	<u>\$104.69</u>	<u>\$157.05</u>	<u>\$174.35</u>	<u>\$196.85</u>	<u>\$174.32</u>	<u>\$209.72</u>
<u>2 Cubic Yard Container</u>	<u>\$104.89</u>	<u>\$209.72</u>	<u>\$314.63</u>	<u>\$332.18</u>	<u>\$360.06</u>	<u>\$401.09</u>	<u>\$482.17</u>
<u>Each Additional Container</u>	<u>\$104.89</u>	<u>\$209.72</u>	<u>\$314.63</u>	<u>\$332.18</u>	<u>\$360.06</u>	<u>\$348.64</u>	<u>\$419.45</u>
<u>3 Cubic Yard Container</u>	<u>\$157.30</u>	<u>\$314.60</u>	<u>\$471.91</u>	<u>\$489.76</u>	<u>\$523.16</u>	<u>\$575.40</u>	<u>\$691.91</u>
<u>Each Additional Container</u>	<u>\$157.30</u>	<u>\$314.60</u>	<u>\$471.91</u>	<u>\$489.76</u>	<u>\$523.16</u>	<u>\$522.94</u>	<u>\$629.17</u>

**Short Term Residential Rental - Solid Waste Container Rental Rates**

<u>Container Size</u>	<u>Monthly Charge</u>
<u>Up to 96 gal. mobile container</u>	<u>\$ 4.87</u>
<u>1 cubic yard</u>	<u>\$ 20.15</u>
<u>2 cubic yard</u>	<u>\$ 24.19</u>
<u>3 cubic yard</u>	<u>\$ 28.25</u>

\* Effective July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

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~~(2) Multiple dwellings shall provide a minimum of one ninety-six gallon mobile solid waste container, and shall be allowed no more than two ninety-six gallon mobile containers, for use by the occupants of the premises. Such premises generating solid waste in excess of two ninety-six gallon mobile containers will be required to replace the two mobile containers with one or more cubic yard type containers sufficient to store the solid waste generated on the premises until its scheduled collection day to prevent overflow. Any overflow shall be subject to overflow charges in accordance with Section 9.04.205 of this chapter.]~~

**SECTION SEVENTEEN.** Title 9, Chapter 9.04, Section 9.04.180 of the Clark County Code is hereby amended to read as follows:

**9.04.180 Charges—Motels and mobile home parks.**

- (a) For urban and rural solid waste service area motels, and the individual room units therein, and urban and rural solid waste service area mobile home parks with shared solid waste containers that do not receive individual curbside solid waste collection service at each mobile home, a franchisee shall charge a monthly fee, billed quarterly in advance, for collecting, transporting and disposing of solid waste as determined in accordance with Table 9.04.180A.
- (b) For urban or rural solid waste service area mobile home parks that receive individual curbside solid waste collection service at each mobile home, which shall include the same heavy and bulky item pickup as that provided to single-family residences, the charges for collecting, transporting and disposing of solid waste and curbside recyclables collection services shall be the same as for urban or rural single-family residences as set forth in Table 9.04.170A of this chapter.

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**Table 9.04.180A**

**Motels and Mobile Home Parks Rates without Individual Service Rates**

**(Monthly Rates billed quarterly)\***

<u>Category &amp; Service Level</u>	<u>Monthly Fee – Each Office</u>	<u>Monthly Fee – Per Cooking Unit</u>	<u>Monthly Fee – Per Non-Cooking Unit</u>
<b><u>Urban Service Area:</u></b>			
<u>Once per week</u>	<u>\$ 6.87</u>	<u>\$ 4.14</u>	<u>\$ 3.30</u>
<u>Twice per week</u>	<u>\$11.65</u>	<u>\$ 7.02</u>	<u>\$ 5.61</u>
<u>Three times per week</u>	<u>\$17.53</u>	<u>\$10.49</u>	<u>\$ 8.42</u>
<u>Four times per week</u>	<u>\$21.37</u>	<u>\$12.81</u>	<u>\$10.30</u>
<u>Five times per week</u>	<u>\$25.26</u>	<u>\$15.17</u>	<u>\$12.17</u>
<u>Six times per week</u>	<u>\$29.16</u>	<u>\$17.53</u>	<u>\$14.03</u>
<u>Seven times per week</u>	<u>\$33.03</u>	<u>\$19.83</u>	<u>\$15.90</u>
<b><u>Rural Service Area:</u></b>			
<u>Once per week solid waste</u>	<u>\$11.88</u>	<u>\$ 7.13</u>	<u>\$ 7.13</u>
<u>Twice per week</u>	<u>May be available in certain areas at double the weekly rate</u>		

<u>[Category</u>	<u>Collection Level</u>	<u>Monthly Fee (Billed Quarterly)*</u>
<u>Urban Service Area Motels and Mobile Homes (regardless of unit vacancies)</u>	<u>Twice per week solid waste</u>	<u>\$8.80 for each office; \$5.28 per unit with cooking facilities; \$4.24 per unit without cooking facilities</u>
	<u>Three times per week</u>	<u>\$13.20 office; \$7.92 per cooking unit; \$6.36/non-cooking</u>
	<u>Four times per week</u>	<u>\$16.13 office; \$9.68 per cooking unit; \$7.77/non-cooking</u>
	<u>Five times per week</u>	<u>\$19.10 office; \$11.44 per cooking unit; \$9.19/non-cooking</u>

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	Six times per week	\$22.00 office; \$13.20 per cooking unit; \$10.60/non-cooking
	Seven times per week	\$24.93 office; \$14.96 per cooking unit; \$12.00/non-cooking
Rural Service Area Motels and Mobile Homes (regardless of unit vacancies)	Once per week solid waste	\$8.99 for each office; \$5.38 for each unit
	Twice per week	May be available in certain areas at double the weekly rate]

\* Effective July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

~~[(e) Motels and mobile home parks with shared solid waste containers shall provide a minimum of one 96-gallon mobile solid waste container, and shall be allowed no more than two 96-gallon mobile containers, for use by the occupants of the premises. Such premises generating solid waste in excess of two 96-gallon mobile containers will be required to replace the two mobile containers with one or more cubic-yard type containers sufficient to store the solid waste generated on the premises until its scheduled collection day to prevent overflow. Any overflow shall be subject to overflow charges in accordance with Section 9.04.205 of this chapter.]~~

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**SECTION EIGHTEEN.** Title 9, Chapter 9.04, Section 9.04.190 of the Clark County Code is hereby amended to read as follows:

**9.04.190 Charges—Urban service area hotels, places of business and public buildings.**

- (a) Except for the types of solid waste specified in Section 9.04.070 of this chapter, a franchisee shall charge for collecting, transporting and disposing of solid waste from hotels, places of business and public buildings in the urban solid waste service area a fee that is determined by the number and type of containers required by each such hotel, place of business or public building and by the number of collections from each per week in accordance with Tables 9.04.190A (billed quarterly in advance), 9.04.190B (billed monthly in advance) and 9.04.190C (billed monthly in arrears) of this section. A franchisee shall charge for collecting, transporting and disposing of compacted solid waste, from containers other than compaction-type drop boxes, three times the otherwise applicable charge.
- (b) Each hotel, place of business or public building premises shall provide a minimum of one 96-gallon mobile container for depositing its solid waste, and shall be allowed no more than two 96-gallon mobile containers. Such premises generating solid waste in excess of two 96-gallon mobile containers shall replace the two mobile containers with one or more cubic-yard type containers, as listed in Table 9.04.190A, sufficient to store the solid waste generated on the premises until its scheduled collection day to prevent overflow. Any overflow shall be subject to overflow charges in accordance with Section 9.04.205 of this chapter.
- (c) A curbside residential customer who has excessive solid waste shall be subject to the overflow fees listed in Table 9.04.205A if the following factors are met: (i) the residential customer operates a business at the residence, (ii) photos of excessive waste that exceeds typical solid

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waste volume of an average curbside residential customer, (iii) consistent overflow solid waste over a 90-day period, and (iv) franchisee and County shall review all cases where excessive solid waste by a curbside residential customer has been identified and determine how to handle the situation.

**Table 9.04.190A  
Collection Charges (Monthly Rates Billed Quarterly\*)  
Urban Hotels, Places of Business and Public Buildings**

<u>Container Size</u>	<u>1 Pickup per week</u>	<u>2 Pickups per week</u>	<u>3 Pickups per week</u>	<u>4 Pickups per week</u>	<u>5 Pickups per week</u>	<u>6 Pickups per week</u>	<u>7 Pickups per week</u>
<u>96 Gallon Mobile Container</u>	<u>\$10.49</u>	<u>\$21.00</u>	<u>\$31.48</u>	<u>\$48.45</u>	<u>\$66.45</u>	<u>\$87.33</u>	<u>\$104.69</u>
<u>Each Additional Container</u>	<u>\$10.49</u>	<u>\$21.00</u>	<u>\$31.48</u>	<u>\$48.45</u>	<u>\$66.45</u>	<u>\$34.86</u>	<u>\$41.94</u>
<u>1 Cubic Yard Container</u>	<u>\$52.34</u>	<u>\$104.69</u>	<u>\$157.05</u>	<u>\$174.35</u>	<u>\$196.85</u>	<u>\$226.76</u>	<u>\$272.42</u>
<u>Each Additional Container</u>	<u>\$52.34</u>	<u>\$104.69</u>	<u>\$157.05</u>	<u>\$174.35</u>	<u>\$196.85</u>	<u>\$174.32</u>	<u>\$209.72</u>
<u>2 Cubic Yard Container</u>	<u>\$104.89</u>	<u>\$209.72</u>	<u>\$314.63</u>	<u>\$332.18</u>	<u>\$360.06</u>	<u>\$401.09</u>	<u>\$482.17</u>
<u>Each Additional Container</u>	<u>\$104.89</u>	<u>\$209.72</u>	<u>\$314.63</u>	<u>\$332.18</u>	<u>\$360.06</u>	<u>\$348.64</u>	<u>\$419.45</u>
<u>3 Cubic Yard Container</u>	<u>\$157.30</u>	<u>\$314.60</u>	<u>\$471.91</u>	<u>\$489.76</u>	<u>\$523.16</u>	<u>\$575.40</u>	<u>\$691.91</u>
<u>Each Additional Container</u>	<u>\$157.30</u>	<u>\$314.60</u>	<u>\$471.91</u>	<u>\$489.76</u>	<u>\$523.16</u>	<u>\$522.94</u>	<u>\$629.17</u>
<u>4 Cubic Yard Container</u>	<u>\$209.72</u>	<u>\$419.45</u>	<u>\$629.18</u>	<u>\$647.41</u>	<u>\$686.28</u>	<u>\$749.72</u>	<u>\$901.59</u>
<u>Each Additional Container</u>	<u>\$209.72</u>	<u>\$419.45</u>	<u>\$629.18</u>	<u>\$647.41</u>	<u>\$686.28</u>	<u>\$697.25</u>	<u>\$838.93</u>
<u>6 Cubic Yard Container</u>	<u>\$314.60</u>	<u>\$629.17</u>	<u>\$943.75</u>	<u>\$962.67</u>	<u>\$1,012.50</u>	<u>\$1,198.36</u>	<u>\$1,321.07</u>
<u>Each Additional Container</u>	<u>\$314.60</u>	<u>\$629.17</u>	<u>\$943.75</u>	<u>\$962.67</u>	<u>\$1,012.50</u>	<u>\$1,043.40</u>	<u>\$1,255.03</u>
<u>8 Cubic Yard Container</u>	<u>\$419.45</u>	<u>\$838.92</u>	<u>\$1,258.35</u>	<u>\$1,277.89</u>	<u>\$1,338.73</u>	<u>\$1,446.98</u>	<u>\$1,740.50</u>
<u>Each Additional Container</u>	<u>\$419.45</u>	<u>\$838.92</u>	<u>\$1,258.35</u>	<u>\$1,277.89</u>	<u>\$1,338.73</u>	<u>\$1,403.58</u>	<u>\$1,688.28</u>

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[Number & Type Of Containers	<del>1</del> Collection Per-Week	<del>2</del> Collections Per-Week	<del>3</del> Collections Per-Week	<del>4</del> Collections Per-Week	<del>5</del> Collections Per-Week	<del>6</del> Collections Per-Week	<del>7</del> Collections Per-Week
96-gal. mobile container + container + additional container	<del>\$7.92</del> <u>7.92</u>	<del>\$15.83</del> <u>15.83</u>	<del>\$23.75</del> <u>23.75</u>	<del>\$36.56</del> <u>36.56</u>	<del>\$50.14</del> <u>50.14</u>	<del>\$65.89</del> <u>26.31</u>	<del>\$79.01</del> <u>31.66</u>
1-cu-yd container + container each additional container	<del>39.51</del> <u>39.51</u>	<del>79.01</del> <u>79.01</u>	<del>118.52</del> <u>118.52</u>	<del>131.59</del> <u>131.59</u>	<del>148.55</del> <u>148.55</u>	<del>171.12</del> <u>131.56</u>	<del>205.61</del> <u>158.28</u>
2-cu-yd container + container each additional container	<del>79.15</del> <u>79.15</u>	<del>158.28</del> <u>158.28</u>	<del>237.42</del> <u>237.42</u>	<del>250.68</del> <u>250.68</u>	<del>271.73</del> <u>271.73</u>	<del>302.69</del> <u>263.11</u>	<del>363.87</del> <u>316.55</u>
3-cu-yd container + container each additional container	<del>118.71</del> <u>118.71</u>	<del>237.41</del> <u>237.41</u>	<del>356.13</del> <u>356.13</u>	<del>369.63</del> <u>369.63</u>	<del>394.82</del> <u>394.82</u>	<del>434.24</del> <u>394.67</u>	<del>522.17</del> <u>474.82</u>
4-cu-yd container	<del>158.28</del> <u>158.28</u>	<del>316.55</del> <u>316.55</u>	<del>474.83</del> <u>474.83</u>	<del>488.59</del> <u>488.59</u>	<del>517.92</del> <u>517.92</u>	<del>565.80</del> <u>526.19</u>	<del>680.41</del> <u>633.12</u>

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<del>±</del> container each additional container							
6-cu-yd container ± container each additional container	<del>237.41</del> <u>237.41</u>	<del>474.82</del> <u>474.82</u>	<del>712.23</del> <u>712.23</u>	<del>726.49</del> <u>726.49</u>	<del>764.11</del> <u>764.11</u>	<del>828.90</del> <u>787.44</u>	<del>996.98</del> <u>947.14</u>
8-cu-yd container ± container each additional container	<del>316.55</del> <u>316.55</u>	<del>633.11</del> <u>633.11</u>	<del>949.65</del> <u>949.65</u>	<del>964.41</del> <u>964.41</u>	<del>1,010.31</del> <u>1,010.31</u>	<del>1,092.01</del> <u>1,059.25</u>	<del>1,313.52</del> <u>1,274.12</u> ]

\* Effective [~~Rates-effective~~] July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

**Table 9.04.190B**

**[Collection Charges (Monthly Rates Billed Monthly\*)]**

**Contracted Solid Waste Compaction Type Drop Box Rates**

**(Monthly Rates Billed Monthly\*)**

<u>Container</u> [ <del>Compactor</del> ] Size	One <u>pickup</u> per [ <del>pull</del> ] week	Two pickups per [ <del>pulls</del> ] week	Three pickups per [ <del>pulls</del> ] week	Four pickups per [ <del>pulls</del> ] week	Five pickups per [ <del>pulls</del> ] week	Six <u>pickups</u> per [ <del>pulls</del> ] week	Seven pickups per [ <del>pulls</del> ] week
10-cubic yard	<u>\$2,326.89</u> [ <del>\$1,756.06</del> ]	<u>\$3,110.68</u> [ <del>\$2,347.56</del> ]	<u>\$4,261.85</u> [ <del>\$3,216.32</del> ]	<u>\$4,628.99</u> [ <del>\$3,493.39</del> ]	<u>\$4,996.15</u> [ <del>\$3,770.48</del> ]	<u>\$5,363.30</u> [ <del>\$4,047.56</del> ]	<u>\$7,838.96</u> [ <del>\$5,915.89</del> ]
17-cubic yard	<u>2,878.88</u>	<u>3,800.37</u>	<u>5,356.48</u>	<u>5,885.30</u>	<u>6,414.04</u>	<u>6,942.85</u>	<u>9,243.85</u>

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	<del>[2,172.63]</del>	<del>[2,868.06]</del>	<del>[4,042.42]</del>	<del>[4,441.49]</del>	<del>[4,840.53]</del>	<del>[5,239.61]</del>	<del>[6,976.12]</del>
26-cubic yard	<u>3,226.45</u>	<u>4,495.49</u>	<u>6,399.14</u>	<u>6,927.94</u>	<u>7,456.70</u>	<u>7,985.49</u>	<u>10,460.40</u>
	<del>[2,434.93]</del>	<del>[3,392.67]</del>	<del>[4,829.31]</del>	<del>[5,228.36]</del>	<del>[5,627.42]</del>	<del>[6,026.49]</del>	<del>[7,894.24]</del>
36-cubic yard	<u>3,807.22</u>	<u>5,076.35</u>	<u>6,979.81</u>	<u>7,582.85</u>	<u>8,185.85</u>	<u>8,788.99</u>	<u>11,263.95</u>
	<del>[2,873.22]</del>	<del>[3,831.02]</del>	<del>[5,267.51]</del>	<del>[5,722.61]</del>	<del>[6,177.69]</del>	<del>[6,632.87]</del>	<del>[8,500.66]</del>
<u>Container</u> <del>[Compactor]</del> Size	Eight pickups per <del>[pulls/]</del> week	Nine pickups per <del>[pulls/]</del> week	Ten pickups per <del>[pulls/]</del> week	Eleven pickups per <del>[pulls/]</del> week	Twelve pickups per <del>[pulls/]</del> week	Thirteen pickups per <del>[pulls/]</del> week	Fourteen pickups per <del>[pulls/]</del> week
10-cubic yard	<u>10,165.85</u>	<u>10,949.65</u>	<u>12,100.84</u>	<u>12,467.96</u>	<u>12,835.09</u>	<u>13,202.26</u>	<u>15,677.94</u>
	<del>[7,671.94]</del>	<del>[8,263.47]</del>	<del>[9,132.25]</del>	<del>[9,409.31]</del>	<del>[9,686.36]</del>	<del>[9,963.45]</del>	<del>[11,831.79]</del>
17-cubic yard	<u>12,122.68</u>	<u>13,044.98</u>	<u>14,600.32</u>	<u>15,129.10</u>	<u>15,657.89</u>	<u>16,186.69</u>	<u>18,487.66</u>
	<del>[9,148.73]</del>	<del>[9,844.76]</del>	<del>[11,018.54]</del>	<del>[11,417.60]</del>	<del>[11,816.67]</del>	<del>[12,215.74]</del>	<del>[13,952.24]</del>
26-cubic yard	<u>13,686.82</u>	<u>14,955.93</u>	<u>16,859.57</u>	<u>17,388.35</u>	<u>17,917.16</u>	<u>18,445.91</u>	<u>20,920.83</u>
	<del>[10,329.15]</del>	<del>[11,286.91]</del>	<del>[12,723.56]</del>	<del>[13,122.61]</del>	<del>[13,521.69]</del>	<del>[13,920.72]</del>	<del>[15,788.49]</del>
36-cubic yard	<u>15,071.17</u>	<u>16,340.33</u>	<u>18,243.78</u>	<u>18,846.79</u>	<u>19,449.84</u>	<u>20,052.96</u>	<u>22,527.89</u>
	<del>[11,373.89]</del>	<del>[12,331.70]</del>	<del>[13,768.19]</del>	<del>[14,223.27]</del>	<del>[14,678.38]</del>	<del>[15,133.54]</del>	<del>[17,001.32]</del>

On-Call Rates Per Pickup: (with regular service)*	Regular	Sunday/Holiday
Special pickup 0-49 yards	<u>\$571.12</u>	<u>\$856.68</u>
	<del>[431.01]</del>	<del>[646.52]</del>
Special pickup 50-yards	<u>1,098.24</u>	<u>1,647.39</u>
	<del>[828.83]</del>	<del>[1,243.24]</del>
Special pickup 75 yards	<u>1,791.39</u>	<u>2,687.08</u>
	<del>[1,351.92]</del>	<del>[1,009.20]</del>

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On-Call Rates Per Pickup: (without regular service)*		
On-call pickup 0-49 yards	<u>891.50</u> [ <del>672.80</del> ]	<u>1,337.27</u> [ <del>1009.20</del> ]

\* Effective [~~Rates effective~~] July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

**Table 9.04.190C**

~~[Collection Charges (Monthly Rates Billed Monthly\*)]~~ **Solid Waste Manual Type Drop Box**  
(Monthly Rates Billed Monthly\*)

On-Call <u>Monthly</u> Rates**[*]: (with or without regular service)	Regular	Sunday/ Holiday
<u>Per cubic yard</u>	<u>\$10.99</u>	<u>\$16.50</u>
10 cubic yards	<u>\$109.90</u> [ <del>83.00</del> ]	<u>\$165.00</u> [ <del>124.50</del> ]
20 cubic <u>yards</u> [ <del>yard</del> ]	<u>219.80</u> [ <del>166.00</del> ]	<u>330.00</u> [ <del>249.00</del> ]
28 cubic <u>yards</u> [ <del>yard</del> ]	<u>307.72</u> [ <del>232.40</del> ]	<u>462.00</u> [ <del>348.60</del> ]
35 cubic <u>yards</u> [ <del>yard</del> ]	<u>384.65</u> [ <del>290.50</del> ]	<u>577.50</u> [ <del>435.75</del> ]
50 cubic <u>yards</u> [ <del>yard</del> ]	<u>549.50</u> [ <del>415.00</del> ]	<u>825.00</u> [ <del>622.50</del> ]

Roll-off prices are calculated by the cubic yard.

\*\*[\*] All on-call rates are subject to additional charges of [~~\$18.53~~] daily rent per 24 hours or any part thereof after the first 72 hours, excluding Sundays.

The daily rental rate is: \$ 24.57

Travel time to rural areas has an additional rate per hour after the first hour as follows:

The weekday travel rate is: \$ 117.29

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The weekend/holiday travel rate is: \$ 175.94

**[Monthly Rates\*]**

~~All other rates shall be calculated as follows:~~

~~(Base Charge x number of yards of capacity x number of pickups per week x 52 weeks per year, divided by 12 months per year) + Daily Rent = Total monthly rate, where:~~

~~"Base Charge" for Monday—Saturday pickups = \$8.30 per cubic yard.~~

~~"Base Charge" for Sunday pickups = \$12.45 per cubic yard.~~

~~"Daily Rent" = \$18.53 per 24 hours or any part thereof after the first 72 hours, excluding Sundays.~~

~~Laughlin on-call manual drop box rates are the same as above except the daily rental will be charged after seven days.]~~

\* Effective [~~Rates effective~~] July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

**SECTION NINETEEN.** Title 9, Chapter 9.04, Section 9.04.200 of the Clark County Code is hereby amended to read as follows:

**9.04.200 Charges—Container rental and special one-time collections.**

Except for the types of solid waste specified in Section 9.04.070 of this chapter, a franchisee shall charge for container rentals and special one-time collection for single-family residences, multiple dwellings, places of business and public buildings in the urban solid waste service area a fee as set forth in Tables 9.04.200A and 9.04.200B of this section.

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**Table 9.04.200A**

**Residential Small Container and Commercial Container Rental Fees\***

<del>[Number and Size of]</del> Container <u>Size</u>	Monthly Charge
1 cubic yard	\$ <u>20.15</u> [ <del>15.22</del> ]
2 cubic yard	<u>24.19</u> [ <del>18.26</del> ]
3 cubic yard	<u>28.25</u> [ <del>21.31</del> ]
4 cubic yard	<u>31.48</u> [ <del>23.75</del> ]
6 cubic yard	<u>40.36</u> [ <del>30.43</del> ]
8 cubic yard	<u>44.36</u> [ <del>33.48</del> ]
<u>Up to</u> 96 gal. mobile container	<u>4.87</u> [ <del>3.65</del> ]

**Table 9.04.200B**

**Special One-Time On-Call Collection Charges and On-Call Bulky Item Collection\***

<del>[Number and Size of]</del> Container <u>Size</u>	<del>[One-Time]</del> Charge
1 cubic yard	\$ <u>39.41 per call</u> [ <del>29.75</del> ]
2 cubic yard	<u>52.55 per call</u> [ <del>39.65</del> ]
3 cubic yard	<u>65.68 per call</u> [ <del>49.57</del> ]
4 cubic yard	<u>78.79 per call</u> [ <del>59.46</del> ]
6 cubic yard	<u>91.93 per call</u> [ <del>69.39</del> ]
8 cubic yard	<u>105.09 per call</u> [ <del>79.30</del> ]
Assorted Trash Pickup – <u>On-call bulky item for single family residences, places of business and public buildings</u>	<u>178.74 per hour</u> [ <del>134.88</del> ] (including up to ½ hour round trip travel time)
<u>Assorted Trash Pickup – On-call bulky item for multifamily complexes</u>	<u>178.74 per hour</u> (including up to ½ hour round trip travel time)

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\* Effective [~~Rates effective~~] July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

**SECTION TWENTY.** Title 9, Chapter 9.04, Section 9.04.205 of the Clark County Code is hereby amended to read as follows:

**9.04.205 Charges—Overflowing solid waste.**

(a) Any non-residential customer whose solid waste container or containers have overflowing solid waste prior to being emptied on collection day, shall be subject to an overflow charge in the amount set forth in Table 9.04.205A, pursuant to the provisions of this chapter.

(b) No overflow charges may be assessed:

(1) Unless:

(A) Written notice of an overflow, delivered by regular U.S. mail, e-mail, facsimile (fax), or personal delivery, has been provided to the owner or manager of the premises, and a subsequent overflow occurs at the premises within ninety (90) days: (i) after such notice has been given; or (ii) after the last overflow charge has been assessed at the premises; and

(B) There is [~~significant~~] overflow from the container, as defined in this chapter and as evidenced by a photograph; and

(C) The overflow actually has been collected by the county or its franchisee.

(2) For overflow that is caused by a prior collection being missed or being performed improperly, or by containers being repositioned by a franchisee after collection such

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that a container is inaccessible to tenants of the premises resulting in overuse of and overflow occurring in another container.

(3) For overflow that is caused because the time of day of collection was more than four (4) hours later than the time of day when the last regularly scheduled collection occurred.

(c) Overflow charges assessed pursuant to this chapter may be waived by the county manager, or his/her designee, or a franchisee if it is determined that the owner or manager of the premises has taken reasonable steps to avoid future overflows, including but not limited to increasing the container capacity and/or collection frequency on the premises, installing locks on the lids of containers and/or on access gates to curtail illegal dumping by third parties, or other property management measures designed to avoid overflows.

**Table 9.04.205A — Overflow Charges**

**for Multiple Dwelling Units and Mobile Home Parks**

**without Individual Curbside Service and Commercial Customers**

Overflow <u>Charges</u>	Fee*
Per incident of overflowing solid waste at non-residential customer premises	<u>\$39.75</u> [ <del>30.00</del> ]

\* Effective [~~Rates effective~~] July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

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**SECTION TWENTY-ONE.** Title 9, Chapter 9.04, Section 9.04.210 of the Clark County Code is hereby amended to read as follows:

**9.04.210 Charges—Medical waste.**

A franchisee's basic and additional service charges per container for preparation, collection, transportation and disposal of medical waste, and the charges for the optional purchase or rental of medical waste containers, shall be determined in accordance with Tables 9.04.210A and 9.04.210B of this section.

**Table 9.04.210A**

**Medical Waste Collection Charges**

BASIC SERVICE CHARGES*					
Item	Size & Volume	<u>Price</u> [ <del>Charge</del> ] Per Item		<u>Bio-Hazard</u> Minimum Charge Per Service Call	
		Delivered	Picked Up	Prescheduled Once/Month Or Greater Frequency ( <u>Discounted Price</u> )	On-call [ <del>Special</del> ] Pickup ( <u>Full Price</u> )
Bio-Hazardous Accumulation Containers	Medium 10-14 Gallons	<u>\$6.32</u> [ <del>4.78</del> ]	<u>\$6.32</u> [ <del>4.78</del> ]	<u>\$36.11</u> [ <del>27.26</del> ]  (If total <u>bio-hazard</u> [ <del>for</del> ] containers delivered and picked up is less than <u>the above amount, then the above amount will be invoiced</u> . If <u>total is more</u>	<u>\$81.30</u> [ <del>61.35</del> ]  (If total <u>bio-hazard</u> [ <del>for</del> ] containers delivered and picked up is less than <u>the above amount, then the above amount will be invoiced</u> . If <u>total is more than the above</u>
	Large 27-32 Gallons	<u>\$9.03</u> [ <del>6.82</del> ]	<u>\$9.03</u> [ <del>6.82</del> ]		
	X-Large 48-50 Gallons	<u>\$13.55</u> [ <del>10.23</del> ]	<u>\$13.55</u> [ <del>10.23</del> ]		

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				<u>than the above amount, then the price per item will be invoiced.</u> <del>[\$27.26, then \$27.26 will be invoiced)]</del>	<u>amount, then the price per item will be invoiced.</u> <del>[\$61.35, then \$61.35 will be invoiced)]</del>
	<u>200 Gallon Cart with wheels</u>	<u>\$54.22</u>	<u>\$54.22</u>	<u>Per Month</u>	<u>Per Month</u>
<u>Basic service provided Monday through Friday and franchisee must be notified by 2 p.m. the day before pickup of any CANCELLATION, OFFICE CLOSURE, OR NO BIOWASTE PICK UP needed prior to service day or the minimum service charge will be invoiced.</u>					

ADDITIONAL SERVICE CHARGES*			
<u>The following additional waste disposal prices apply to [Charges for] prescheduled once/month or greater frequency <u>medical waste customers picked up on their scheduled pickup day, or the special pickup surcharge will be applied in addition to the disposal price.</u></u> <del>[service:]</del>			
Type	Size Code	Container	Disposal Charge
<u>Chemotherapy Waste Disposal</u>	Large	33 Gallon	\$ <u>44.59</u> [ <del>33.65</del> ]
	Extra Large	55 Gallon	<u>79.11</u> [ <del>59.71</del> ]
<del>[Waste Disposal]</del> <u>Pharmaceutical Waste Disposal</u> (non-controlled substance <del>[Disposal]</del> )	Extra Small	5 Gallon	<u>57.54</u> [ <del>43.42</del> ]
	Small	10 Gallon	<u>104.29</u> [ <del>78.70</del> ]
	Medium	20 Gallon	<u>208.56</u> [ <del>157.40</del> ]
	Large	30 Gallon	<u>312.86</u> [ <del>236.12</del> ]
	Extra Large	55 Gallon	<u>521.44</u> [ <del>393.53</del> ]

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<del>[Charges for on-call / special pickups or special services:]</del>	
Item	<u>Special Collection &amp; Services Charge</u>
Special pickups/ <u>services</u> ( <u>See Below</u> [ <del>after 5:00 p.m., same day requests, holidays, weekends or greater than 20 polyurethane containers per pickup</del> ])	<u>\$86.32</u> [ <del>65.14</del> ] Per Hour
<del>[Special services (account balancing, reconciliation, usage reports, certificates)]</del>	<del>[\$65.14 Per Hour]</del>
Preparation of waste to make suitable for transportation	<u>\$35.98</u> [ <del>27.14</del> ] Per Container
Collection delay	<u>\$1.46</u> [ <del>1.09</del> ] per minute after 10 minutes; <u>\$14.39</u> [ <del>\$10.86</del> ] Minimum
Over weight charge (Over 50 lbs.)	<u>\$57.54</u> [ <del>43.42</del> ] Per Container
<u>SPECIAL PICKUPS/SERVICES - After 5:00 p.m., same day requests, holidays, outside the Urban Solid Waste Service Area, or greater than 20 polyurethane containers per pickup; or account balancing/reconciliation/usage reports/certificates.</u>	

\* Effective [~~Rates effective~~] July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

~~[Basic service provided Monday through Friday. If no medical waste pickup service is required, franchisee must be notified by two p.m. of the day prior to scheduled service or the minimum service fee will be charged.]~~

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**Table 9.04.210B**

**Medical Waste Container Purchase or Rental**

PURCHASE OR RENTAL ITEMS (optional, if offered by franchisee)*				
Item	Size	Volume	Dimensions	<u>Price</u> [ <del>Charge</del> ]
Sharp Containers	Small	1 Quart	4" × 4" × 6"	<u>\$7.20</u> [ <del>5.43</del> ] plus tax
	Medium	5 Quarts	4" × 10" × 9"	<u>11.52</u> [ <del>8.68</del> ] plus tax
	Large	8 Quarts	6" × 9" × 10"	<u>14.39</u> [ <del>10.86</del> ] plus tax
	Extra Large	32 Quarts	9" × 13" × 17"	<u>28.77</u> [ <del>21.71</del> ] plus tax
Red Bio-Hazard Bags	Small (500 bags per case)	8-10 Gallons	24" × 32" (8-10 gallons)	<u>100.69</u> [ <del>75.99</del> ] plus tax
	Large/Extra Large (25 bags per roll)	50 Gallons	43" × 48" (50 gallons)	<u>17.25</u> [ <del>13.03</del> ] plus tax
[ <del>Locker Rental</del> ]	<del>Small</del>	<del>5 Cubic yards</del>	<del>7 ½' × 5 ½' × 3 ½'</del>	<del>65.14 per month (includes transportation)</del>
	<del>Large</del>	<del>30 Cubic yards</del>	<del>20' × 8' × 8'</del>	<del>151.98 per month (includes transportation)</del>
Roll-Off Box Rental	Extra Large	40 Cubic Yards		<u>474.71</u> [ <del>358.25</del> ] per month
<del>Trailer Rental (Special pickup charge of \$65.14 per hour does not apply to</del>	<del>30 feet long or less</del>			<del>519.53 per month</del>
	<del>48 feet long or less</del>			<del>692.71 per month</del>

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<del>customers with trailer service, unless after hours or holiday pickups are requested).</del>	<del>53 feet long or less</del>		<del>779.30 per month]</del>	
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Medical waste charges specified in Tables 9.04.210A and 9.04.210B shall be the same for both urban and rural locations except that rural locations shall be subject to additional fees for travel time (after first hour) as follows: [~~of \$88.52 for regular service and \$132.78 for Sunday/Holiday service.~~]

Regular service                      \$117.29

Sunday/Holiday service        \$175.94

\* Effective [~~Rates effective~~] July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

**SECTION TWENTY-TWO.** Title 9, Chapter 9.04, Section 9.04.220 of the Clark County Code is hereby amended to read as follows:

**9.04.220 Charges—Rural service area hotels, places of business and public buildings.**

Except for the types of solid waste specified in Section 9.04.070 of this chapter, a franchisee shall charge for collecting, transporting and disposing of solid waste from rural service area hotels, places of business and public buildings a fee determined by the number and type of containers required by each such hotel, place of business or public building and by the number of collections from each per week in accordance with Tables 9.04.220A, 9.04.220B and 9.04.220C [~~the Table 9.05.220A~~] of this section. Each business or public building premises shall provide a minimum of

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one 96-gallon mobile container, and shall be allowed a maximum two 96-gallon mobile containers. Such premises generating solid waste in excess of two 96-gallon mobile containers will be required to provide for one or more cubic-yard containers sufficient to store the solid waste generated on the premises until its scheduled collection day to prevent overflow. Any overflow shall be subject to overflow charges in accordance with Section 9.04.205 of this chapter.

**Table 9.04.220A**

**Cost of Service (Monthly)\***

**Rural Service Area Hotels, Places of Business and Public Buildings**

Container	One Collection Per Week	Two Collections Per Week
Each 96-gallon container	\$ <u>11.73</u> [ <del>8.86</del> ]	\$ <u>21.49</u> [ <del>16.22</del> ]
Each 1 cubic yard container	\$ <u>53.54</u> [ <del>40.40</del> ]	\$ <u>106.79</u> [ <del>80.59</del> ]
Each 2 cubic yard container	\$ <u>107.10</u> [ <del>80.81</del> ]	\$ <u>213.92</u> [ <del>161.44</del> ]
Each 3 cubic yard container	\$ <u>160.64</u> [ <del>121.24</del> ]	\$ <u>321.01</u> [ <del>242.26</del> ]

**Table 9.04.220B**

**Collection Charges (Monthly Rates Billed Monthly\*)**

**Solid Waste Manual Type Drop Box**

<b>On-Call Rates* :</b> (with or without regular service)	Regular	Sunday/holiday
10 cubic yards	\$ <u>109.90</u> [ <del>83.00</del> ]	\$ <u>165.00</u> [ <del>124.50</del> ]
20 cubic yards	<u>219.80</u> [ <del>166.00</del> ]	<u>330.00</u> [ <del>249.00</del> ]
28 cubic yards	<u>307.72</u> [ <del>232.40</del> ]	<u>462.00</u> [ <del>348.60</del> ]

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35 cubic yards	<u>384.65</u> [ <del>290.50</del> ]	<u>577.50</u> [ <del>435.75</del> ]
50 cubic yards	<u>549.50</u> [ <del>415.00</del> ]	<u>825.00</u> [ <del>622.50</del> ]
Additional fees for travel time (after first hour)	<u>117.29</u> [ <del>88.52</del> ] per hour	<u>175.94</u> [ <del>132.78</del> ] per hour

**Table 9.04.220C**

**Solid Waste Manual Type Drop Box Charges (Travel Time)**

<u>Container Size</u>	<u>Travel Rate for First Hour (roundtrip)</u>	<u>Travel Rate per Hour after First Hour</u>	<u>Demurrage Rate per 24 Hours or any part thereafter the First 72 Hours</u>
<u>10 yard open box</u>	<u>\$109.90</u>	<u>\$117.29</u>	<u>\$24.57</u>
<u>20 yard open box</u>	<u>\$219.80</u>	<u>\$117.29</u>	<u>\$24.57</u>
<u>28 yard open box</u>	<u>\$307.72</u>	<u>\$117.29</u>	<u>\$24.57</u>
<u>35 yard open box</u>	<u>\$384.65</u>	<u>\$117.29</u>	<u>\$24.57</u>
<u>50 yard open box</u>	<u>\$549.50</u>	<u>\$117.29</u>	<u>\$24.57</u>

<b><u>List of travel times for any delivery or pickup on 10 yard, 20 yard, 28 yard, 35 yard and 50 yard open boxes exceeding the initial one hour roundtrip</u></b>		
	<b><u>Drop &amp; Pickup</u></b>	<b><u>Empty &amp; Return</u></b>
<b><u>ONE HOUR (Goodsprings, Jean, Moapa Tribal Fireworks)</u></b>		
<u>10 yard open box</u>	<u>\$227.19</u>	<u>\$109.90</u>
<u>20 yard open box</u>	<u>\$337.09</u>	<u>\$219.80</u>
<u>28 yard open box</u>	<u>\$425.01</u>	<u>\$307.72</u>
<u>35 yard open box</u>	<u>\$501.94</u>	<u>\$384.65</u>

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<u>50 yard open box</u>	<u>\$666.79</u>	<u>\$549.50</u>
<u><b>TWO HOURS</b> (Boulder Dam, Calville Bay, Eldorado Valley, Glendale, Indian Springs, Lake Mead Area, Logandale, McCullough Switching Station, Moapa, Moapa Power Plant, Mountain Springs, Mount Charleston)</u>		
<u>10 yard open box</u>	<u>\$461.77</u>	<u>\$227.19</u>
<u>20 yard open box</u>	<u>\$571.67</u>	<u>\$337.09</u>
<u>28 yard open box</u>	<u>\$659.59</u>	<u>\$425.01</u>
<u>35 yard open box</u>	<u>\$736.52</u>	<u>\$501.94</u>
<u>50 yard open box</u>	<u>\$901.37</u>	<u>\$666.79</u>
<u><b>THREE HOURS</b> (Lee Canyon, Nelson City, Overton, Overton Beach, Searchlight and Valley of Fire)</u>		
<u>10 yard open box</u>	<u>\$ 696.35</u>	<u>\$344.48</u>
<u>20 yard open box</u>	<u>\$ 806.25</u>	<u>\$454.38</u>
<u>28 yard open box</u>	<u>\$ 894.17</u>	<u>\$542.30</u>
<u>35 yard open box</u>	<u>\$ 971.10</u>	<u>\$619.23</u>
<u>50 yard open box</u>	<u>\$1,135.95</u>	<u>\$784.08</u>
<u><b>FOUR HOURS</b> (Cal-Nev-Ari, Cottonwood Cove, Echo Bay and Nipton)</u>		
<u>10 yard open box</u>	<u>\$ 930.93</u>	<u>\$461.77</u>
<u>20 yard open box</u>	<u>\$1,040.83</u>	<u>\$571.67</u>
<u>28 yard open box</u>	<u>\$1,128.75</u>	<u>\$659.59</u>
<u>35 yard open box</u>	<u>\$1,205.68</u>	<u>\$736.52</u>
<u>50 yard open box</u>	<u>\$1,370.53</u>	<u>\$901.37</u>

~~[\* All on-call rates are subject to additional charges of \$18.53 daily rent per 24 hours or any part thereof after the first 72 hours, excluding Sundays.~~

**~~Monthly Rates\*~~**

~~All other rates shall be calculated as follows:~~

~~(Base charge × number of yards of capacity × number of pickups per week × 52 weeks per year, divided by 12 months per year) + daily rent = Total monthly rate, where:~~

~~"Base charge" for Monday—Saturday pickups = \$8.30 per cubic yard.~~

~~"Base Charge" for Sunday pickups = \$12.45 per cubic yard.~~

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~~"Daily rent" = \$18.53 per 24 hours or any part thereof after the first 72 hours, excluding Sundays.~~

~~Two collections per week service may not be available in every rural town.~~

~~Additional commercial service and compaction or baled solid waste rates will be charged on an individual basis.~~

~~Compacted solid waste will be billed at a ratio of three to one in accordance with the size of the container and frequency of service.~~

~~Container rental fees in the rural service area shall be the same as in the urban service area as specified in Table 9.04.210A.]~~

\* Effective [~~Rates effective~~] July 1, 2021 [~~2006~~], and subject to applicable [~~CPI-U~~] adjustments made pursuant to this chapter.

**SECTION TWENTY-THREE.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.225 to read as follows:

**9.04.225 Collection charges – Deregulated for specific categories.**

(a) The charges specified in this chapter for collection, transporting and disposing of solid waste shall not apply to construction or demolition waste or septic tank waste that is excluded from collection by a franchisee pursuant to a franchise agreement, grease trap waste, or landscaping or tree trimming waste handled in accordance with Section 9.04.70. A franchisee or other licensed service provider may set its own charges for the collection, transportation and disposal of such solid waste.

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(b) A franchisee, in its sole discretion, may establish fees with respect to goods, services or other functions provided by the franchisee that are not governed by this chapter, including fees or charges for the purchase or rental of items that are offered as an option to customers but which could be obtained from some other source. The franchisee shall submit to the County Manager for review, by July 1 of each year, a list of such optional goods or services that are not governed by this chapter, along with the rates to be charged for those goods or services.

**SECTION TWENTY-FOUR.** Title 9, Chapter 9.04, Section 9.04.230 of the Clark County Code is hereby amended to read as follows:

**9.04.230 Charges—Sewage waste.**

A franchisee shall charge for sewage waste disposal service the rates listed in Table 9.04.230A. Additional terms and conditions for collection, transportation and disposal of sewage waste shall be specified in the franchise agreement [~~a separate sewage waste agreement~~].

**Table 9.04.230A**

**Sewage Waste Charges\***

<b>Sewage Waste Disposal Service</b>	<b>Fee</b>
Per [ <del>wet</del> ] ton <u>as hauled</u> using franchisee equipment to accumulate, collect <del>and/or</del> [ <del>and</del> ] transport waste	\$ <u>23.41</u> [ <del>17.68</del> ]
Per [ <del>wet</del> ] ton <u>as hauled not</u> using franchisee [ <del>county/city</del> ] equipment to <u>accumulate, collect, and/or transport</u> [ <del>store</del> ] waste [ <del>prior to franchisee transporting</del> ]	\$ <u>15.75</u> [ <del>16.75</del> ]

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<u>Per gallon for liquid waste only</u>	<u>\$0.60</u>
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\* Effective ~~[Rates effective]~~ July 1, 2021 ~~[2006]~~, and subject to applicable ~~[CPI-U]~~ adjustments made pursuant to this chapter.

**SECTION TWENTY-FIVE.** Title 9, Chapter 9.04, Section 9.04.240 of the Clark County Code is hereby amended to read as follows:

**9.04.240 Charges due and payable.**

(a) To ensure that the handling and disposing of solid waste is performed in a uniform, safe and sanitary manner and to discourage the illegal handling and disposal of solid waste, it shall be mandatory for any person owning, occupying or managing any premises in the county ~~[which are connected to an electric utility service]~~ to subscribe to solid waste collection service provided by the county or its authorized franchisee and to pay the charges established by the board; provided, however, that residents of single-family residences may dispose of their own solid waste at a lawful disposal facility operated by the county or franchisee in lieu of participation in the franchised collection service, in which case the resident must provide a receipt from such an authorized disposal facility on a quarterly basis to the solid waste service area franchisee as proof of payment for solid waste disposal. No person may discontinue paying for solid waste collection service for his or her premises ~~[unless such premises are not connected to any utility service for the entire billing period or unless a single family resident provides proof of disposal at a lawful disposal facility as provided in this subsection].~~

(b) ~~[In order to discontinue paying for solid waste collection service pursuant to subsection (a) of this section, a person must request discontinuation of service and provide proof that no~~

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~~utility service is connected to the premises. No fee may be charged to discontinue or reestablish service to the premises after service has been discontinued pursuant to this subsection.~~

- (e) All charges for regular or periodic services provided by the county, its franchisees, or their duly appointed agents, pursuant to this chapter and as established by the board, shall be billed on the first business day of the quarterly or monthly billing period, as applicable, and shall be due and payable on the last day of the applicable billing month; provided, however, that charges for on-call service may be billed at the time of service. All charges for services under this chapter, including the penalties for delinquent payment and any reasonable collection costs and legal fees incurred by a franchisee in seeking to recover unpaid charges for services and penalties, shall constitute a debt and obligation of the legal owner of the premises to the franchisee, and such person may be liable therefore in a civil action commenced by the franchisee in any court of competent jurisdiction for the recovery of such charges and penalties.
- (c) If any person fails to pay the charges authorized by this chapter by the date they become due and payable, a penalty shall be added thereto. For residential accounts as of July 1, 2021, the penalty amount shall be as set forth in Table 9.04.250A, which amount will be increased annually by the rate set forth in Section 9.04.260. For commercial accounts, the penalty amount shall be as set forth in Table 9.04.250A. If a franchisee incurs collections costs in attempting to recover unpaid charges and any penalties, the franchisee may recover from the legal owner of the premises the reasonable collection costs and legal fees incurred and may report the legal owner to a collection agency, as defined in NRS Chapter 649, to assist the franchisee in the collection of unpaid charges, penalties or collection costs.

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(d) ~~[A customer shall be entitled to a refund of any advance payment for service he or she has made upon presenting proof that connection to utility services did not exist at the customer's premises during the entire billing period for which the advance payment was made. All refunds from a franchisee to a customer shall be paid within thirty days from the date of the customer's request for reimbursement or date of franchisee's knowledge that a refund is owed.~~

~~(e)~~ No person shall accept and no franchisee shall offer or give any solid waste collection, transportation and disposal services or curbside recyclables collection services without charge, or shall offer or give a discount, refund, or rebate of the charges for solid waste service established by the board, except that this provision does not apply to any credits or refunds issued pursuant to ~~[subsection (d) of this section or]~~ Section 9.04.270, charitable organizations which are exempt from federal income tax pursuant to Section 501(c) of the Internal Revenue Code and as provided by a franchise agreement.

**SECTION TWENTY-SIX.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.245 to read as follows:

**9.04.245 Additional charges – Pass through of certain taxes and other items.**

(a) In addition to all other charges established by this chapter, a franchisee may directly pass through to its customers such charges as are necessary for the franchisee to recoup any or all of the following that have been imposed upon and paid by the franchisee:

(1) State business license taxes pursuant to Section 187 of Senate Bill 8 of the 20<sup>th</sup> Special Session (2003) of the Nevada State Legislature;

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- (2) Other taxes on a franchisee's provision of the services authorized by the franchise agreement that may be imposed by the Nevada Legislature, by a local government with taxing authority, or by ballot initiative, excluding property taxes and income taxes; or
  - (3) Any additional charges or fees imposed by the County, not to include penalties assessed against the franchisee.
  - (4) Prior written notice must be submitted to the County by the franchisee detailing passthrough fees subject to this Section, applicable cause(s) for addition and inclusion, customer notification plan and proposed start date and duration of the increase.
- (b) The required five percent (5%) quarterly franchise fee paid to the County is included in the rates charged by franchisee for the collection, transportation and disposal of solid waste.
- (c) Such pass-through charges shall not be subject to quarterly franchise fees, and other than the five percent (5%) quarterly franchise fee, will be passed through to each customer as a separate line item on the franchisee's billing to the customer.
- (d) A franchisee shall provide to the County, on or before March 1 each year and in a form satisfactory to the County, a detailed report for the preceding calendar year containing the following information concerning the items listed in Subsection (a) of this Section:
- (1) The various amounts paid during the prior calendar year;
  - (2) How such amounts were calculated;

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(3) The number of customers in the County served by the franchisee during the prior calendar year;

(4) The total pass-through charges collected from customers during the prior calendar year; and

(5) The method that the franchisee will use to pass through such amounts to its customers for the current year, including any adjustments to the pass-through charges necessary to correct for any excess or under charges during the prior calendar year.

**SECTION TWENTY-SEVEN.** Title 9, Chapter 9.04, Section 9.04.250 of the Clark County

Code is hereby amended to read as follows:

**9.04.250 Failure to pay charges when due—Penalty/lien.**

(a) Pursuant to NRS 444.520, all solid waste collection charges authorized and established by this chapter, including any penalties assessed under Section 9.04.240 and any fees assessed pursuant to Section 9.04.255, shall constitute a lien upon the real property of the premises served until such charges have been paid. Such lien shall be enforced in the manner specified in NRS 444.520. [~~If any person fails to pay the charges established by the board by the date they become due and payable, a penalty shall be added thereto of three dollars per quarter for residential accounts and two percent per month (or fraction thereof) of the delinquent amount for commercial accounts.~~]

(b) Where solid waste collection service under this chapter is provided by a franchisee, the County may:

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- (1) Execute, record and administer such liens in the name of the County;
  - (2) Authorize the franchisee to execute, record and administer such liens in the name of the County; or
  - (3) Authorize the franchisee to execute, record and administer such liens in its own name. [~~Until paid, any fee or charge levied pursuant to this chapter of the Code constitutes a perpetual lien against the property served, pursuant to the provisions of NRS 444.520. The franchisee may pass through to the owner of the property for which a lien has been filed any fees charged by the county recorder's office for the filing and the release of the lien. In addition to the fees charged by the county recorder's office the franchise may include in the total amount to be assessed to the property owner an administrative fee to recover costs incurred by the franchisee for filing and maintaining the lien and an administrative fee for the release of the lien. The administrative charge shall, as of July 1, 2011, not exceed sixty dollars per lien for the filing and maintenance of the lien or sixty dollars for the release of the lien, adjusted each year thereafter effective on July 1 for any increase in the annual average CPI-U for the twelve-month period ending December 31, immediately preceding the effective date of the maximum lien administration fee adjustment.~~]
- (c) In each case described in Subsection (b) of this Section, the charges, penalties and fees secured by such liens shall run in favor of the franchisee consistent with the terms of the franchise agreement.

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**Table 9.04.250A**

**Late Payment Penalties**

<u>Residential Late Payment Penalty*</u>	<u>\$3.98 per quarter (or fraction thereof)</u>
<u>Non-Residential Late Payment Penalty</u>	<u>2% per month (or fraction thereof) of the delinquent amount</u>

**Table 9.04.250B**

**Maximum Lien & Collection Fees**

<u>Lien Fees</u>	<u>Administrative Fee*</u>	<u>County Recorder Fee</u>	<u>Total Fee</u>
<u>Claim of Lien Fee</u>	<u>\$71.22</u>	<u>\$42.00</u>	<u>\$113.22</u>
<u>Release of Lien Fee</u>	<u>\$71.22</u>	<u>\$42.00</u>	<u>\$113.22</u>
<u>Collection Fees</u>	<u>\$25.00</u>	<u>n/a</u>	<u>\$25.00</u>

\* Effective July 1, 2021, Late Payment Penalties and Lien Administrative Fees are subject to applicable adjustments made pursuant to this chapter. The County Recorder's Fee is established by State law and is \$42.00 as of January 1, 2022.

**SECTION TWENTY-EIGHT.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.255 to read as follows:

**9.04.255 Franchisee alternatives – Lien fees and costs.**

(a) With respect to a property concerning which a lien has been filed pursuant to Section 9.04.250, a franchisee may:

- (1) Pass through to the owner of that property any fees that have been charged by the County Recorder's office for the recording of that lien and for its release;

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(2) Charge the owner of that property a fee to recover administrative costs incurred by the franchisee in recording and maintaining such a lien as set forth in Table 9.04.250B;

(3) Charge the owner of that property a fee to recover administrative costs incurred by the franchisee in securing the release of such lien as set forth in Table 9.04.250B; and

(4) Charge the owner of that property reasonable collection costs incurred by the franchisee in attempting to collect delinquent amounts prior to the recording of the lien as set forth in Table 9.04.250B. The franchisee may not recover such costs again pursuant to Section 9.04.240.

~~(b) Subject to the provisions of Subsection (d), each of the fees set forth in Subsections (a)(2) and (a)(3) of this Section shall not exceed seventy one dollars and twenty two cents (\$71.22), which shall be increased in accordance with Section 9.04.260.~~

~~(c) If a franchisee charges collection costs pursuant to Subsection (a)(4) of this Section:~~

~~(1) The franchisee may not recover those costs again pursuant to Section 9.04.240; and~~

~~(2) The amount chargeable under Subsection (a)(4) of this Section shall not exceed twenty five dollars (\$25.00), which shall be increased in accordance with Section 9.04.260.~~

(d)(b) Commencing on July 1, 2022, each of the fees set forth in Subsections (a)(2) and (a)(3) of this Section shall be adjusted in accordance with Section 9.04.260.

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~~(e)~~(c) All intent to lien correspondence sent to customers by franchisee shall be sent via certified mail. Costs for certified mail shall be added to the overall amount owed by customer and may be included in the lien.

**SECTION TWENTY-NINE.** Title 9, Chapter 9.04, Section 9.04.260 of the Clark County Code is hereby amended to read as follows:

**9.04.260 Rate changes.**

- (a) Effective on July 1, 2022, and continuing annually thereafter, the charges established by the Code shall be adjusted by an amount equal to the change in the average annual Historic Consumer Price Index (CPI) for water and sewer and trash collection services, U.S. city average, all urban consumers, not seasonally adjusted (Current Series ID: CUUR0000SEHG), as published by the U.S. Department of Labor, Bureau of Labor Statistics, for the most recent calendar year ended on December 31 as compared to the previous calendar year ended on December 31. [~~The rates and charges established by the board, including but not limited to urban and rural rates, shall be adjusted annually based upon the percentage of change in the CPI-U.~~]
- (b) Rate adjustments shall be made effective as of July 1, each year and shall be based upon the percentage change in the annual average of the water and sewer and trash collection services CPI [~~CPI-U~~] for the twelve-month period ending December 31, immediately preceding the effective date of the rate adjustment.
- (c) Annual increases to rates and charges adjusted in accordance with the percentage change in the water and sewer and trash collection services CPI [~~CPI-U~~] shall not be greater than six and one-half percent (6.5%) when the percentage change in the water and sewer and trash

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collection services CPI [~~CPI-U~~] is within the range of zero percent (0%) (no change) to six and one-half percent (6.5%) [~~ten percent~~] and shall be determined in the following manner:

- (1) When the percentage change in the water and sewer and trash collection services CPI [~~CPI-U~~] is between zero percent (0%) (no change) and six and one-half percent (6.5%), the charges are to be adjusted by the actual percentage change.
  - (2) When the percentage change is greater than [~~between~~] six and one-half percent (6.5%) or below zero percent (0%) [~~and ten percent~~], the change may be considered an unforeseen economic circumstance [~~rates and charges adjustment shall not be greater than six and one-half percent~~].
- (d) When an unforeseen economic circumstance has occurred during a given consecutive twelve-month period, the board may consider a request by the franchisee and may approve a method for adjusting rates which is not based on changes to the water and sewer and trash collection services CPI [~~CPI-U~~]. In any year following a period when the adjustment to rates was based on some other method, rate adjustments shall again be based on changes to the water and sewer and trash collection services CPI [~~in the CPI-U~~]. A minimum of one annual rate adjustment based on the water and sewer and trash collection services CPI [~~CPI-U~~] method must occur between annual rate adjustments based on methods other than the water and sewer and trash collection services CPI [~~CPI-U~~] method.

**SECTION THIRTY.** Title 9, Chapter 9.04, Section 9.04.270 of the Clark County Code is hereby amended to read as follows:

**9.04.270 Customer service and repair standards.**

~~[The following customer service and repair standards shall apply to each franchisee:~~

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(a) The franchisee shall be required to implement a complaint resolution procedure to handle all complaints received by either the County [~~county~~] or the franchisee, which shall include the following:

(a) [(1)] The franchisee shall be required to record all complaints and if possible resolve them within forty-eight (48) hours of their receipt, which shall begin on the first business day that notification was received by Franchisee. For solid waste collection, if Franchisee misses a collection, Franchisee shall resolve the missed collection within twenty-four (24) hours of notification from the next business day upon which Franchisee was made aware of the missed pick up.

(b) [(2)] If the franchisee cannot resolve a complaint within forty-eight (48) hours of its receipt, the franchisee shall within that period provide the County [~~county~~] with a written report detailing why resolution could not be reached within that time period, the actions that will be taken to resolve the complaint and the timeline to reach a resolution of the complaint.

(c) [(b)] If the County [~~county~~] is not satisfied with the franchisee's proposed resolution of a complaint, the county manager or his/her designee shall have the authority to direct the franchisee to resolve the complaint in a manner that is satisfactory to the County [~~county~~].

(d) [(e)] Upon request, the franchisee shall provide the County [~~county~~] with a written monthly report, in a form satisfactory to the County [~~county~~], summarizing the complaints received by the franchisee and the resolutions thereof for the preceding month.

(e) [(d)] Standards for repair or replacement of containers.

(1) If a solid waste container supplied by a franchisee to a non-residential customer receives damage caused by the franchisee's own actions or through normal wear and

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tear, the franchisee shall, at its own cost, fix or replace the container no later than seven (7) calendar days after the franchisee has been notified of the damage.

(2) If a solid waste container supplied by a non-residential customer, which is being properly used, receives damage due to a franchisee's negligence or misconduct, the franchisee shall, at its own cost, fix or replace the container no later than seven (7) calendar days after the franchisee has been notified of the damage.

(3) For purposes of this section, a franchisee shall be deemed to have been notified that a container has been damaged when a franchisee's collection worker arrives to collect the solid waste from a container and finds the container damaged, or when a premises owner or manager notifies the franchisee in writing that a container is damaged, whichever occurs first.

(f) [~~(e)~~] If a franchisee misses or improperly performs a scheduled collection for a non-residential customer, resulting in solid waste that the customer has properly put out for collection not being collected, within twenty-four (24) hours if located within the urban service area and within forty-eight (48) hours if located in the rural service area of receiving notice of such missed or improper collection the franchisee shall send a second vehicle to the premises to properly collect such solid waste.

(g) [~~(f)~~] If a franchisee fails to fix or replace a damaged solid waste container owned or rented by a non-residential customer as set forth in Subsection (e) of this Section, or correct a missed or improper collection for a non-residential customer, or properly position a container for a non-residential customer, in accordance with this Section [~~section~~], the franchisee shall automatically issue a prorated [~~pro-rata~~] credit to such non-residential customer's account [~~until the damaged or misplaced container is serviceable or properly~~

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~~placed, or for the missed or improper collection~~], based on the charges for regularly scheduled collection service to the premises for the applicable billing period, regardless of whether the non-residential customer makes [~~any~~] a request for such a credit. The credit amount is based on the proportional service level

(h) [~~g~~] For wheeled carts provided by franchisee to curbside residential customers, franchisee shall be responsible for the normal wear and tear and general maintenance of the wheeled carts at no cost to the residential customer. General maintenance does not include maintaining the cleanliness of the wheeled carts.

**SECTION THIRTY-ONE.** Title 9, Chapter 9.04, Section 9.04.280 of the Clark County Code is hereby amended to read as follows:

**9.04.280 Telephone answering standards.**

- (a) Franchisee [~~Each franchisee~~] shall [~~at all times~~] maintain a telephone answering system during normal business hours that measures the:
- (1) Average wait time from the time that customer calls reach the franchisee to the time that such calls are answered by an individual (not a machine);
  - (2) Number of calls that reach the franchisee but are dropped before a representative of the franchisee answers such calls . [~~and~~]
- (b) Franchisee shall maintain a telephone recording system after normal business hours where customers can leave a message. Franchisee shall return the customer's call, if requested on the message, within forty-eight (48) hours, excluding weekends and holidays.

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(c) Franchisee is not required to maintain a telephone answering system with customer service operators on New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

(d) Upon request, the franchisee shall provide the county with a written monthly report, in a form satisfactory to the county, summarizing the average wait time, the number of dropped calls and the percentage of time during which all lines were busy during the preceding month.

(e) ~~(e)~~ The franchisee shall establish, after consultation with the county, reasonable minimum standards for its telephone answering system for the average wait times, number of dropped calls and percentage of time during which all lines are busy.

(f) ~~(d)~~ Each report required by this section shall include a summary of whether the franchisee is or is not in compliance with the agreed upon standards established pursuant to this section and, if the franchisee is not in compliance, what actions the franchisee will take to meet the standards in future months.

**SECTION THIRTY-TWO.** Title 9, Chapter 9.04, Section 9.04.290 of the Clark County Code is hereby amended to read as follows:

**9.04.290 Solid waste to be deposited only at authorized disposal sites.**

All solid waste and hazardous waste collected from the public and private places and premises in the county shall not be deposited at any place within the county limits, except at a materials recovery facility, transfer station, or solid waste disposal facility legally authorized by the solid waste management authority having jurisdiction over such facility.

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**SECTION THIRTY-THREE.** Title 9, Chapter 9.04, Section 9.04.350 of the Clark County Code is hereby amended to read as follows:

**9.04.350 Rights of county to dispose of solid waste.**

Nothing in this chapter shall limit the right of the county to collect, transport, process or dispose of any solid waste, hazardous waste or recyclable material, including the operation of transfer stations and recycling centers or donate or sell recyclable materials.

**SECTION THIRTY-FOUR.** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.360 to read as follows:

**9.04.360 Alternative collection schedules.**

Notwithstanding any provisions in this Chapter to the contrary, the County Manager, a franchisee and specific property owners in designated control areas may agree upon alternative collection processes and schedules for specific test periods for the purpose of testing solid waste collection and recycling options.

**SECTION THIRTY-FIVE** Title 9, Chapter 9.04, of the Clark County Code is hereby amended by adding a new Section 9.04.370 to read as follows:

**9.04.370 Withholding of solid waste collection services.**

(a) Except as otherwise provided in this Section, a solid waste franchisee is not authorized to withhold solid waste collection services for nonpayment of collection charges.

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- (b) Prior to July 1, 2022, a franchisee may withhold solid waste collection services from a commercial or industrial customer for nonpayment of collection charges, but only if the customer is more than sixty (60) days' delinquent in the payment of collection charges.
- (c) Commencing on July 1, 2022, a franchisee may withhold solid waste collection services from a commercial or industrial customer for nonpayment of collection charges, but only if:
- (1) The customer is more than sixty (60) days' delinquent in the payment of collection charges;
  - (2) The franchisee first notifies the customer (and the property owner, if different from the customer) in writing of its intent to withhold solid waste collections services and provides a minimum of fifteen (15) days within which to pay the delinquent charges or arrange payment therefor satisfactory to the franchisee; and
  - (3) The response period provided under Subsection (c)(2) of this Section has passed and the delinquent charges have not been paid or payment arrangements made satisfactory to the franchisee.
- (d) In any particular case in which withholding service from a commercial or industrial customer creates a public nuisance, as determined by the County Manager or a designee, the County may require a franchisee to reinstate solid waste collection service for that customer within twenty-four (24) hours even if the customer's account remains in delinquent status. Action taken under this Subsection (d) does not preclude the franchisee

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from recording a lien pursuant to Section 9.04.255 or pursuing any other collection remedy  
available under this chapter.

**SECTION THIRTY-SIX.** If any provision, section, paragraph, sentence, clause, or phrase of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this ordinance. It is the intent of the County Commission in adopting this ordinance that no portion or provision thereof shall become inoperative or fail by reason of any invalidity or unconstitutionality of any other portion or provision, and to this end all provisions of this ordinance are declared to be severable.

**SECTION THIRTY-SEVEN.** All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

**SECTION THIRTY-EIGHT.** This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the 5th day of April, 2022.

PROPOSED BY: Commissioner James B. Gibson

PASSED on the 19th day of April, 2022.

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AYES: James B. Gibson

Justin Jones

Marilyn K. Kirkpatrick

William McCurdy II

Ross Miller

Michael Naft

Tick Segerblom

NAYS: None

\_\_\_\_\_

ABSTAINING: None

ABSENT: None

\_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS

BY:   
JAMES B. GIBSON, Chair

ATTEST:

  
LYNN MARIE GOYA, County Clerk

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This ordinance shall be in force and effect from and after

the 3rd day of May 2022.