

## STAFF REPORT

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**Date:** September 13, 2017

**To:** Mayor and City Council

**Thru:** Sabra Newby, City Manager

**Subject:** 1.1. Staff Report (For Possible Action): Ordinance amending the Reno Municipal Code Title 12, “public works and utilities,” Chapter 12.16 “sewer service” - Section 12.16.010 to amend the definition of industrial user to add a definition of vacancy; to amend Sections 12.16.120, 12.16.130 and 12.16.200 to add the reference to the fee resolution for the CPI adjustment; to amend in Section 12.16.120 a note as to the billing rate for multi-family; to update the billing period to quarterly in Section 12.16.130; and to amend Section 12.16.610 as to Class IV category of industrial users; together with other matters properly relating thereto.

**From:** John Flansberg, Director of Public Works

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**Summary:** The proposed ordinance amendments pertain to RMC 12.16.010 (Definitions) as follows: To revise the definition of industrial user and to add a definition of the word vacancy; to amend Sections 12.16.120, 12.16.130 AND 12.16.200 to add the reference to the Fee Resolution for the CPI adjustment, to correct the billing period to quarterly, and amend Section 12.16.610 as to the Class IV Category of Industrial Users. The amendments are to clarify and clean up language in the code and to refer to the fee resolution for the CPI increases.

**Discussion:** The amendments proposed to the RMC address certain provisions and sections that need to be updated and revised. For convenience, the amendments are shown in yellow highlight in the attached Ordinance.

Vacancy is currently an undefined term. It has become apparent from questions raised to staff that the term needs to be defined to be as intended, which is “habitable but not occupied.”

As to the definition of Industrial Users and wastewater discharge, the Environmental Control Section (EC) permits and enforces the code as to commercial and industrial sewer users. The term Industrial User is used throughout code, including sections that establish EC’s legal authority and various sewer discharge requirements.

The proposed revised definition of Industrial User is to clarify EC's legal authority for evaluation of any non-residential facility that has a connection to the City's sewer system (or that generates wastewater that is hauled to a water reclamation facility). The proposed revision does not change or expand the applicability of the code to any additional facilities as it only clarifies the intent of the wastewater discharge regulations.

Inadvertently, when Sections 12.16.120, 12.16.130 and 12.16.200 were amended to reflect the CPI adjustment, the reference to the Fee Resolution for the CPI adjustment was not referenced. Therefore, the amendment is needed so that staff has a schedule to use when adjusting billing rates each October. Further, 12.16.130 has an old reference to annual billing whereas all billing is now quarterly.

The code also defines various permit types for Industrial Users. The Class IV definition is intended to be for Industrial Users that perform a process defined to be Categorical under National Pretreatment Standards, but do not discharge wastewater from this Categorical process. The revised definition clarifies this intent but does not change or expand which facilities will continue to be regulated as Class IV Industrial Users.

**Financial Implications:** None with regard to the Ordinance Amendments.

**Legal Implications:** The amendment is pursuant to City Charter and the RMC. The amendment is not a rule as defined by NRS 237.060; therefore, a Business Impact Statement is not required.

**Recommendation: Recommendation:** Staff recommends Council referral of Bill No. \_\_\_\_\_ second reading and adoption.

**Proposed Motion:** First Reading: I move to refer Bill No. \_\_\_\_\_ for a second reading and adoption.

EXPLANATION: Matter underlined is new; matter in brackets and stricken [--] is material to be repealed.

**BILL NO.**

**ORDINANCE NO.**

**EXPLANATION: MATTER UNDERScored IS NEW; MATTER IN STRIKEOUT AND BRACKETS [ ] IS MATERIAL TO BE OMITTED**

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE AMENDING THE RENO MUNICIPAL CODE TITLE 12, "PUBLIC WORKS AND UTILITIES," CHAPTER 12.16 "SEWER SERVICE," - SECTION 12.16.010 TO AMEND THE DEFINITION INDUSTRIAL USER, TO ADD A DEFINITION OF VACANCY; TO AMEND SECTIONS 12.16.120, 12.16.130 AND 12.16.200 TO ADD THE REFERENCE TO THE FEE RESOLUTION FOR THE CPI ADJUSTMENT; TO AMEND IN SECTION 12.16.120 A NOTE AS TO THE BILLING RATE FOR MULTI-FAMILY; TO UPDATE THE BILLING PERIOD TO QUARTERLY IN SECTION 12.16.130; AND TO AMEND SECTION 12.16.610 AS TO CLASS IV CATEGORY OF INDUSTRIAL USERS; TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.**

THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1. The Reno Municipal Code, Chapter 12, "PUBLIC WORKS AND UTILITIES," Chapter 12.16 "Sewer Service," 12.16.010 "Definitions," 12.16.120 "Dwelling unit or residential unit," 12.16.130 "Industrial/commercial discharger," 12.16.200 "Surcharge rates" and 12.16.610 "Permit for industrial users" are amended to read as follows:

SECTION 2. Sec. 12.16.010. - Definitions.

The following terms have the meanings ascribed to them in this chapter:

*Act* means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended (33 U.S.C. 1251, et seq.).

*Administrative hearing officer* means the person designated by the city to hear matters pursuant to section 12.16.395 and article III.

*Apartment house* shall mean the same as "multiple-family residential units."

*Approval authority* means the state director in an NPDES state with an approved state

pretreatment program or the regional administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.

*Authorized representative of the industrial user* means:

- (a) If the industrial user is a corporation:
  - (1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or
  - (2) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (b) If the user is a partnership or sole proprietorship: A general partner or proprietor, respectively.
- (c) If the user is a federal, state, or local government facility: A city or district or highest official appointed or designated to oversee the operation and performance of the activities of the governmental facility, or their designee.
- (d) The individuals described in paragraphs (a) through (c), above, may designate another authorized representative if the authorization is made in writing, the authorization specifies the individual or a position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the director.

*Best management practices* or *BMPs* means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the general and specific prohibitions listed in section 12.16.530 of this chapter. BMPs may also include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs shall be considered local limits and pretreatment standards for the purposes of this article, Section 307(d) of the Act and 40 CFR Section 403.5(c)(4).

*BOD* or *biochemical oxygen demand* means the measure of decomposable organic material in domestic or industrial wastewaters as represented by the oxygen utilized over a period of five days at 20 degrees Celsius and expressed in terms of milligrams per liter (mg/L).

*Bypasses* are prohibited except as allowed under 40 CFR Section 403.17.

*Casino* means a place where games of chance or gambling devices are made available for play by the public and is associated with a hotel or is a separate establishment. Businesses with less than 20 slot machines are not to be classified as a casino.

*Categorical industrial user* means an industrial user subject to a categorical pretreatment standard.

*Categorical pretreatment standard* or *categorical standard* means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. Section 1317) that apply to a specific category of industrial users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

*City* means the City of Reno, Nevada.

*COD* or *chemical oxygen demand* means the measure of the amount of oxygen required to oxidize organic and oxidizable inorganic compounds that is susceptible to oxidation by a strong chemical oxidant under laboratory procedures and expressed in milligrams per liter (mg/L).

*Composite sample* means a representative flow-proportioned sample generally collected within a 24-hour period and combined according to flow. Time-proportional sampling may be approved or used by the city where time-proportional samples are believed representative of the discharge.

*Connection fees* mean the payment made for the permission to make a direct or indirect connection to the sewer system.

*Daily maximum discharge limit* means the maximum allowable concentration of a pollutant(s) that may be discharged during a 24-hour period or as specified in an industrial user wastewater discharge permit. Where daily maximum limitations are expressed in units of mass, the discharge is the total mass discharged over the sampling period.

*Director* means the public works director or his duly authorized representative.

*Discharge* means the addition of any substance to the sewer system.

*Discharger* means any person that discharges or causes a discharge to a public sewer.

*Domestic sewage* means domestic (sanitary) wastes and wastewater from residential sources including, but not limited to, wastewater from kitchen, bath, and laundry facilities; or wastewater from the personal sanitary conveniences (toilets, showers, bathtubs, fountains, noncommercial sinks and similar structures) of commercial, industrial or institutional buildings, provided that the wastewater exhibits characteristics that are similar to those of wastewater from normal residential activities.

*Dwelling units* means a building or portion thereof designed and/or used to house not more than one family, including necessary employees of each such family.

*Easement* means an acquired legal right held by the city for the specific use of land owned by others.

*Environmental Protection Agency* or *EPA* means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of said agency.

*Existing source* means a source of discharge by an industrial user, the construction of which commenced prior to the publication of the proposed categorical pretreatment standard which is subsequently promulgated in accordance with Section 307 of the Clean Water Act, or as otherwise specified in the applicable categorical pretreatment standard.

*Fats, oil and grease* or *FOG* means the non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in 40 CFR Part 136.

*Fixture* means a device which drains or "discharges" to the sewage collection system and includes but is not limited to, bathtub, sinks, drinking fountain, dishwasher, lavatory, water closet, showers, etc.

*Geothermal water* is water heated naturally by the earth and all dissolved or entrained minerals contained therein.

*Grab sample* means a sample which is taken from a waste stream on a one-time basis with no regard to the flow and over a period of time not to exceed 15 minutes.

*Hazardous waste* means any waste designated as hazardous under the provisions of 40 CFR Part 261.

*Hotel* means a building occupied or intended to be occupied for compensation, as the temporary residence for transient guests, primarily persons who have residence elsewhere, with interior hall and lobby, and with access to each room from such interior hall or lobby.

*Indirect discharge* or *discharge* mean the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act (including holding tank waste discharged into the system).

*Industrial* means of, or pertaining to, industry, manufacturing, commerce, trade, or business as distinguished from domestic or residential.

*Industrial (non-domestic) wastes* means the liquid or solid wastes from industrial manufacturing processes, trade or business activities producing non-domestic or non-residential sewage as distinct from domestic sewage.

*Industrial user* means a commercial, industrial, or governmental entity that has a sewer connection to the POTW through waste hauling. [a source of indirect discharge.]

*Infiltration* means the water which enters the sewer lines from the ground, usually through pipe and manhole joints.

*Inflow* means the water discharged into the wastewater system from such sources as but not limited to roof leaders, cellar, yard, and area drains; foundation drains; drains from springs, manhole covers; cross-connections from storm sewers and combined sewers, surface runoff; etc.

*Instantaneous limit* means the maximum or minimum concentration or measurement of a pollutant property allowed to be discharged at any time for any length of time. For pollutants, compliance is typically determined by use of a grab sample.

*Interference* means a discharge, which alone or in conjunction with a discharge or discharges from other sources, both:

- (a) Inhibits or disrupts the POTW treatment processes, or operations or its sludge processes, use or disposal; and
- (b) Is a cause of violation of any requirement of the city's NPDES permit (including an

increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued hereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resources Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solids Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

*Local limits* mean any regulation containing pollution discharge limits promulgated by the city in accordance with 40 CFR Section 403.5(c) and (d), which are deemed to be pretreatment standards and contained in subsection 12.16.565(c) of this chapter.

*Mobile home* means a structure, intended for use as a single-family dwelling, eight feet or greater in width and 28 feet or greater in length, designed to be moveable but not self-motive.

*Mobile home estate* means a lot or parcel of land upon which there can be placed a single mobile home for occupancy as a single-family dwelling.

*Mobile home park* means a parcel or tract of land having as its principal use the rental, leasing, or occupancy of space by two or more mobile homes on a permanent or semipermanent basis, including accessory buildings, or uses customarily incidental thereto.

*Motel* means a building occupied or intended to be occupied, for compensation, as the temporary residence for transient guests, primarily persons who have residence elsewhere, with access to each room or unit from an outside porch or landing and with accessible parking spaces on or near the premises under the same ownership.

*Multiple-family residential unit* means a building designed and/or used to house two or more families, living independently of each other, including necessary employees of each such family and includes units which may have shared kitchen facilities.

*National Pollution Discharge Elimination System* or *NPDES Permit* means the State of Nevada program for issuing, conditioning, and denying permits for the discharge from point sources into waters of the state pursuant to NAC 445A Sections 228-263 and Section 402 of the Act.

*New source* means:

- (a) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which is commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source, if such standards are thereafter promulgated in accordance with that section, provided that:
  - (1) The building, structure, facility or installation is constructed at a site at which no other source is located; or

- (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
  - (3) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- (b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (a)(2) or (a)(3) of this definition but otherwise alters, replaces, or adds to existing process or production equipment.
- (c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
- (1) Begun, or caused to begin as part of a continuous onsite construction program:
    - (i) Any placement, assembly, or installation of facilities or equipment; or
    - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
  - (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

*Normal domestic strength wastewater* means wastewater, when analyzed in accordance with procedures established by the EPA pursuant to 40 CFR Part 136, as amended, contains no more than 174 mg/L of BOD<sub>5</sub> and/or more than 150 mg/L of TSS. Surcharge rates are shown in section 12.16.200.

*Officer and environmental control officer* means a person authorized by the "director" to inspect wastewater generation, conveyance, processing and disposal facilities.

*Pass-through* means a discharge which exits the POTW to waters of the state in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, causes a violation of a POTW's NPDES permit including an increase in the magnitude or duration of a violation.

*Person* means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, society, group, governmental entity or any other legal entity, or their legal representatives, agents or assigns.

*pH* means the negative logarithm (base 10) of the concentration of hydrogen ions per liter and

reported as standard units (S.U.).

*Pollutant* means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

*Premises* means a parcel of real estate or portion thereof including any improvements thereon which is determined by the city to be a single user for purposes of receiving, using and paying for service.

*Pretreatment* or *treatment* means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR Section 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR Section 403.6(e).

*Pretreatment requirements* means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard, imposed on an industrial user.

*Pretreatment standard* or *standard* mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act, which applies to industrial users. The term includes prohibitive discharge limits, local limits, and best management practices that are or may be established by the city. In cases of differing standards or regulations, the more stringent shall apply.

*Publicly owned treatment works* or *POTW* means a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned by a state or municipality. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances which convey wastewater to the POTW treatment plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

*Recreational vehicle park* means a parcel or tract of land, having as its principal use the transient rental or occupancy of space by two or more recreational vehicles, including accessory buildings, structures or uses customarily incidental thereto.

*Rooming house* or *dormitory* means a room or rooms that are used for sleeping with a bathroom or common bathroom accommodations and may or may not have shared kitchen facilities and may or may not have a managerial apartment. This section is not to be defined as a "single-family dwelling" nor as a "multiple-family residential unit."

*Shall* is mandatory; *may* is permissive.

*Significant industrial user* or *SIU* . Except as provided in subsection 12.16.610(a), a significant industrial user is:

- (a) An industrial user subject to categorical pretreatment standards; or
- (b) An industrial user that:
  - (1) Discharges an average of 25,000 gallons per day (25,000 gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
  - (2) Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
  - (3) Is designated as such by the city on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

*Single-family dwelling* means a building designed and/or used to house not more than one family, including necessary employees of such family.

*Slug load* or *slug discharge* means any discharge at a flow rate or concentration, which could cause a violation of the specific prohibitions in section 12.16.530. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, or a discharge which exceeds the hydraulic or design of a industrial users treatment system or any part of the treatment unit including a discharge which has a reasonable potential to cause interference or pass through or in any other way violate an applicable pretreatment standard or requirement or a wastewater discharge permit issued by the city.

*Standard industrial classification* or *SIC* is a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, as amended.

*Storm drain* or *storm sewer* means every pipe, culvert, flume, ditch, gutter, storm sewer, cistern, tank, drain, lake, pond, stream, ravine, gully or other facility or natural feature, that contains, holds, transports, diverts, channels, impounds, or drains water, into which any naturally occurring stormwater runoff within the city may seep, percolate or flow; and every street, sidewalk, alley, gutter, roof, parking lot, yard, field, driveway, patio and other surface within the city across which any naturally occurring stormwater runoff may seep, percolate or flow.

*Surcharge* means a charge to an industrial/commercial discharger whose discharge waste strength is in excess of local domestic wastewater.

*Total dissolved solids (TDS)* are the "residue-on-evaporation" of the filterable solids in water or wastewater, otherwise known as that portion of solids that passes through a glass fiber filter and dried at 180 degrees Celsius (180°C) using a method approved in 40 CFR Part 136.

*Total suspended solids* means the total suspended matter, expressed in milligrams per liter, that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is

removable by laboratory filtering in accordance with procedures approved in 40 CFR Part 136, as amended.

*Total inorganic nitrogen* includes nitrites, nitrates and ammonia. The total inorganic nitrogen is expressed as N and is determined by methods approved in 40 CFR Part 136.

*Total phosphate* includes orthophosphates, polyphosphates, and organic phosphate. The total phosphate is expressed as P and is determined by methods approved in 40 CFR Part 136.

*Toxic pollutant* means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under Section 307(a) of the Act or as otherwise listed in 40 CFR Part 122, Appendix D.

*Upsets* are prohibited except as allowed by under 40 CFR 403.16.

*User* means a "discharger" as defined herein.

*User charge* means the sewer service charge to users of the "wastewater facilities".

***Vacancy* means the property is habitable but not occupied.**

*Waste* includes sewage and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of disposal.

*Wastewater* means wastes and water, whether treated or untreated, discharged to the city's "wastewater facilities."

*Wastewater discharge permit* is a permit issued to an industrial user by the city that regulates the discharge of pollutants and flow to the POTW and applies pretreatment standards and requirements, as appropriate, as set forth in article III of this chapter.

*Wastewater facilities* includes "wastewater" collection interceptor sewers, wastewater treatment works (Reno-Sparks JWPCP and Reno-Stead treatment plant), pumping plants, and outfall sewers. Also see "Publicly-owned treatment works."

### SECTION 3. Sec. 12.16.120. - Dwelling unit or residential unit.

Customer classes are those user categories that have similar wastewater discharge characteristics. The three customer classes defined for user fee rates are single-family, multifamily and commercial/industrial.

Residential condominium, townhouse condominium, community apartment, mobile home park are multifamily for the purpose of establishing user fee rates.

Duplex, triplex, fourplex, mobile home lot, single-family residence, zero lot line single-family and mobile home subdivision are single-family for the purpose of establishing user fee rates.

A residential user class not defined shall be assigned to that user class that is most closely representative of a multifamily or single-family class.

The sewer service user charge for each type of residential unit, multifamily or single-family, is a flat monthly rate per residential unit plus a customer service charge in the

amount of two dollars and forty cents (\$2.40) per bill effective on the dates indicated as listed below.

Effective on October 1, 2011 through September 30, 2015 per the table titled Sewer Fee Rates the following user fee rates shall be applicable except properties that sewer to the South Truckee Meadows Water Reclamation Facility and are annexed into the City of Reno will continue to pay the applicable Washoe County rate.

**Sewer Fee Rates**

<b>(All Fees Are Per Month Rates)</b>			<b>Multiple-Family Residential Dwelling Unit with Shared Kitchen</b>		<b>Rooming House</b>	
<b>Effective Date</b>	<b>Single-Family</b>	<b>*Multifamily</b>	<b>Per Kitchen</b>	<b>Per Bedroom</b>	<b>Per Kitchen</b>	<b>Per Room Rental</b>
October 1, 2010	\$29.50	\$24.20	\$18.51	\$9.02	\$18.51	\$9.02
October 1, 2011	\$31.86	\$26.14	\$19.99	\$9.74	\$19.99	\$9.74
October 1, 2012	\$34.41	\$28.23	\$21.59	\$10.52	\$21.59	\$10.52
October 1, 2013	\$37.16	\$30.49	\$23.32	\$11.36	\$23.32	\$11.36
October 1, 2014	\$40.13	\$32.92	\$25.18	\$12.27	\$25.18	\$12.27
October 1, 2015	\$43.35	\$35.56	\$27.20	\$13.25	\$27.20	\$13.25

**\*Per RMC 12.16.120, multi-family units up to a four-plex are charge at the single-family rate.**

Effective October 1, 2016 the rate effective October 1, 2015 shall be subject to an automatic increase by an amount equal to the increase of the Consumer Price Index-All Urban Consumers (CPI-U) for the west urban area, as published by the Bureau of Labor Statistics. The measurement period shall end with the published index for December of each year and the resulting increases shall be implemented with the October billings **which will be reflected in the fee resolution adopted by City Council and kept on file in the Office of the Clerk and the Finance Department.**

**SECTION 4. Sec. 12.16.130. - Industrial/commercial discharger.**

The industrial/commercial discharger sewer service charges are based on weighted fixture units in accordance with the rate under (1), herein, until data is available to charge

according to metered flow. The sewer service charge under (2), herein, shall be based on 100 percent of the water consumed which shall include all unmetered and metered water usage. There is an availability-of-service charge such that the charge determined from (1) or (2) hereinafter shall not be less than the rate for a single-family dwelling unit including ~~annual~~ quarterly charge and customer service charge for each discharger. If an industrial/commercial discharger has a significant quantity of water which is not discharged to the wastewater facilities, the discharger may submit a waiver of nonsewered water request in accordance with (3), herein.

- (1) **Weighted Fixture Unit Charge.** Weighted fixture units shall pay a ~~quarterly~~~~annual~~ sewer use charge.

Effective on the stated dates the ~~annual~~ quarterly sewer use charge for each weighted fixture unit plus \$4.20 per bill is the following:

### Weighted Fixture Unit Charge

#### For Each Weighted Fixture Unit

October 1, 2010 .....	16.99
October 1, 2011 .....	18.35
October 1, 2012 .....	19.82
October 1, 2013 .....	21.40
October 1, 2014 .....	23.11
October 1, 2015 .....	24.96

Effective October 1, 2016 the rate effective October 1, 2015 shall be subject to an automatic increase by an amount equal to the increase of the Consumer Price Index-All Urban Consumers (CPI-U) for the west urban area, as published by the Bureau of Labor Statistics. The measurement period shall end with the published index for December of each year and the resulting increases shall be implemented with the October billings which will be reflected in the fee resolution adopted by City Council and kept on file in the Office of the Clerk and the Finance Department.

- (2) **Commercial/Industrial User Class Rates:** Commercial/Industrial sewer use rates are based upon comparable costs for an equivalent single-family dwelling. Surcharges for predefined user classes in Table I are included. Rates for undefined classes of users may be established pursuant to section 12.16.200. (Surcharge).

Commercial/industrial accounts serviced by one or more water meters but having multiple dischargers or user categories (such as shopping malls), or that are not directly assignable under Table I shall have user fee rates established under section 12.16.200 (Surcharge) and be billed in \$0.10 increments rounded to the nearest \$0.10 increment of cost per 1,000 gallons. Multiple use facilities user fees shall be calculated and billed based upon water usage per user category or fixture unit counts and hours of operation to obtain a proportional allocation of costs for billing use. A customer service charge of \$4.20 shall be added per bill for all customer classes.

Gallage charge of metered flow for Commercial/industrial user fees with effective date as shown on Table I per 1,000 gallons.

TABLE I COMMERCIAL/INDUSTRIAL USER CLASS RATES\*\*

	Description	Charge in Dollars per 1,000 Gallons					
*	Rate effective	10/1/2010	10/1/2011	10/1/2012	10/1/2013	10/1/2014	10/1/2015
A.	Large Hotel w/ Restaurant	\$5.37	\$5.80	\$6.26	\$6.76	\$7.31	\$7.89
B.	Small Hotel w/ Restaurant	\$4.61	\$4.98	\$5.38	\$5.81	\$6.27	\$6.77
C.	Casino w/ Restaurant	\$5.37	\$5.80	\$6.26	\$6.76	\$7.31	\$7.89
D.	Full Service Restaurant	\$6.46	\$6.98	\$7.53	\$8.14	\$8.79	\$9.49
E.	Fast Food	\$6.36	\$6.87	\$7.42	\$8.01	\$8.65	\$9.34
F.	Pizza Parlor	\$5.13	\$5.54	\$5.98	\$6.46	\$6.98	\$7.54
G.	Meat, Seafood Prep	\$5.29	\$5.71	\$6.17	\$6.66	\$7.20	\$7.77
H/I	Commercial/Industrial Laundry	\$6.95	\$7.51	\$8.11	\$8.75	\$9.46	\$10.21
J	Car Wash	\$4.30	\$4.64	\$5.02	\$5.42	\$5.85	\$6.32
K	Bakery	\$4.09	\$4.42	\$4.77	\$5.15	\$5.56	\$6.01
L	Market w/ Bakery	\$4.99	\$5.39	\$5.82	\$6.29	\$6.79	\$7.33
M	Hospital, Conv Home	\$4.41	\$4.76	\$5.14	\$5.56	\$6.00	\$6.48
N	Service and Repair Garage	\$4.70	\$5.08	\$5.48	\$5.92	\$6.39	\$6.91
P	Mortuaries	\$7.12	\$7.69	\$8.30	\$8.97	\$9.69	\$10.46
Q	Laundromat	\$4.61	\$4.98	\$5.38	\$5.81	\$6.27	\$6.77
R	Schools w/ Cafeteria	\$4.17	\$4.50	\$4.86	\$5.25	\$5.67	\$6.13
S	Doctor/Dentists/Vet	\$4.14	\$4.47	\$4.83	\$5.22	\$5.63	\$6.08
T	Bottling Plant	\$5.20	\$5.62	\$6.07	\$6.55	\$7.07	\$7.64
UA	Dairy Processing	\$7.88	\$8.51	\$9.19	\$9.93	\$10.72	\$11.58
WW	Photographic Studios	\$8.59	\$9.28	\$10.02	\$10.82	\$11.69	\$12.62
Z	All Other Commercial	\$4.61	\$4.98	\$5.38	\$5.81	\$6.27	\$6.77

Effective October 1, 2016 the rate effective October 1, 2015 shall be subject to an

automatic increase by an amount equal to the increase of the Consumer Price Index-All Urban Consumers (CPI-U) for the west urban area, as published by the Bureau of Labor Statistics. The measurement period shall end with the published index for December of each year and the resulting increases shall be implemented with the October billings **which will be reflected in the fee resolution adopted by City Council and kept on file in the Office of the Clerk and the Finance Department.**

\*\*Includes applicable surcharges or cost of service allocations for each user class

- (3) **Waiver of Nonsewered Water Request.** Industrial/commercial dischargers may request an allowance be made for water which flows through the water meter but is not discharged to the sewer. The waiver will be reviewed and acted on by the director, once the discharger has submitted a completed application, "waiver of nonsewered water," to the director. The nonsewered allowance determined by the waiver will be applied to second and third quarter billings. Forms for a waiver application can be obtained from the public works department. The director may require verification by metering. The meter type and location must have approval from the director prior to installation and must be accessible to authorized city personnel for inspection. Quarterly readings of the meter will be obtained by the city. Authorized representatives shall have access to read and inspect the meters. There will be a \$15.00 charge per meter per quarter to read the meters. All new meter installation are required to have remote readouts. Any existing meter that fails or is not accessible to be read due to mud, water, debris, or other reason determined by the director shall be required to install a meter with a remote readout. If an allowance meter is not functioning or cannot be read, the industrial/commercial discharger will be notified and the discharger will not receive any allowance until the meter is repaired. The repair and maintenance of the meters shall be the responsibility of the industrial/commercial discharger.

SECTION 4. Sec. 12.16.200. - Surcharge rates.

Surcharge commercial/industrial user class rates are included in the actual billed rate for nonresidential user fee rates. The wastewater fees of commercial/industrial dischargers are based upon the following applicable equation (in accordance with the findings and methodology of the Sewer Equity Study by Brown and Caldwell dated June 1995 and the Wastewater Rate Study Report by Red Oak Consultants dated June 2005) or are predefined in Table I of section 12.16.130 for commercial/industrial user class rates.

Commercial/Industrial User Class Rates are based upon the following:

Effective Date	Commercial/Industrial User Class Surcharge Calculations
October 1, 2011	$4.97671870 + (\text{BOD5} - 174) \times (0.00277678) + (\text{SS} - 150) \times (0.00340486) + (\text{P} - 7) \times (0.06384208) + (\text{N} - 20.2) \times (0.02679774)$
October 1, 2012	$5.37485620 + (\text{BOD5} - 174) \times (0.00299892) + (\text{SS} - 150) \times (0.00367725) + (\text{P} - 7) \times (0.06894945) + (\text{N} - 20.2) \times (0.02894156)$
October 1, 2013	$5.80484469 + (\text{BOD5} - 174) \times (0.00323883) + (\text{SS} - 150) \times (0.00397143) + (\text{P} - 7) \times (0.07446541) + (\text{N} - 20.2) \times (0.03125688)$

October 1, 2014	$6.26923227 + (BOD5 - 174) \times (0.00349794) + (SS - 150) \times (0.00428915) + (P - 7) \times (0.08042264) + (N - 20.2) \times (0.03375743)$
October 1, 2015	$6.77077085 + (BOD-174) * (0.00377777) + (SS-150) * (0.00463228) + (P-7) * (0.08685645) + (N-20.2) * (0.03645803)$

BOD = Commercial/industrial customer's BOD concentrations, mg/l

SS = Commercial/industrial customer's SS concentration, mg/l

P = Commercial/industrial customer's P concentration, mg/l (Total Phosphorus)

N = Commercial/industrial customer's N concentration, mg/l (Total Nitrogen)

A commercial/industrial customer class not assignable in Table I of section 12.16.130 shall have a user fee rate established by the above equation and the methodology of the Sewer Equity Study dated June 1995.

Effective October 1, 2016 the rate effective October 1, 2015 shall be subject to an automatic increase by an amount equal to the increase of the Consumer Price Index-All Urban Consumers (CPI-U) for the west urban area, as published by the Bureau of Labor Statistics. The measurement period shall end with the published index for December of each year and the resulting increases shall be implemented with the October billings which will be reflected in the fee resolution adopted by City Council and kept on file in the Office of the Clerk and the Finance Department.

SECTION 5. Sec. 12.16.610. - Permit for industrial users.

- (a) Industrial users are categorized into one of the five classes.
- (b) Upon finding by the city that an industrial user meeting the criteria in subsection (b) of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the city may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with 40 CFR Section 403.8(f)(2), determine that such industrial user is not a significant industrial user.
  - (1) **Class I:** Those industrial users with sanitary facilities only or which have other activities that would not pose a reasonable potential to discharge pollutants of concern to the city. These industrial users may be required to periodically submit an industrial waste survey. If the industrial user believes that it performs or will perform any activities resulting in reclassification as a Class II, III, IV or V facility, it shall report this change to the director. These industrial users are not required to obtain wastewater discharge permits.
  - (2) **Class II:** Industrial users, not meeting the definition of significant industrial user, that discharge wastewater or have the reasonable potential to discharge pollutants of concern to the city or otherwise have operations that the city believes could result in the discharge of pollutants. These industrial users shall receive a permit and/or reporting requirements and may be required by the city to meet specific discharge limits and/or specific best management practices.

- (3) **Class III:** Industrial users meeting the definition of significant industrial user under section 12.16.010 and which are not categorical industrial users.
- (4) **Class IV:** Industrial users that perform categorical processes listed in 40 CFR Chapter I, subchapter N, Parts 405-471 with categorical discharge standards, but do not discharge or have the potential to discharge wastewater to the POTW from such categorical processes. [which meet the definition of "categorical industrial user" as defined in section 12.16.010 due to their manufacturing process but do not have the potential to discharge wastewater to the POTW that is regulated under the applicable categorical pretreatment standard. Class IV industrial users may discharge domestic sewage and industrial wastewater [process wastewater] that is not regulated by an applicable categorical standard and complies with any other applicable pretreatment requirements.
- (5) **Class V:** Industrial users meeting the definition of "significant industrial user" and "categorical industrial user" as defined in section 12.16.010 and which discharge non-domestic waste to the POTW.

SECTION 6. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

SECTION 7. The amendments are not a rule as defined by NRS 237.060; therefore, the Reno City Council finds that a Business Impact Statement is not required.

SECTION 8. This Ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote of the Council:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
HILLARY L. SCHIEVE, MAYOR OF THE  
CITY OF RENO

ATTEST:

\_\_\_\_\_  
ASHLEY D. TURNEY  
CITY CLERK AND CLERK OF THE CITY  
COUNCIL OF THE CITY OF RENO, NEVADA

EFFECTIVE DATE: