

CLARK COUNTY, NEVADA

Business Impact Statement

(NRS 237.090)

Clark County Code Title 9, Chapter 9.04 (Solid Waste Management)

Upon request, a copy of the Business Impact Statement can be obtained from the Clark County Department of Business License and such requests should be sent to:

Clark County Department of Business License
Chapter 5.02
500 S. Grand Central Pky., 3rd Flr
Box 551810
Las Vegas, NV 89155-1810

or a copy may be obtained from the following website:

www.clarkcountynv.gov/businesslicense.

Description of the proposed ordinance or rule:

The proposed amendments to Chapter 9.04 will:

1. Require that a residential solid waste customer, that operates a business from their residence and generates more solid waste than a normal household, obtain the appropriate level of solid waste collection and pay a commercial rate for that service.
2. Impose an overflow charge on non-residential customers and residential customers with a residential small container (1, 2 or 3 cubic-yard) that cannot be closed by more than 12 inches.
3. Allow a residential customer to request a second weekly collection day for a small residential container for an additional charge.
4. Establish a commercial solid waste collection rate for short term residential rentals when they become licensed.
5. Allow the franchisee to replace recycling containers for solid waste containers in certain circumstances when contamination of recyclable materials exceeds a certain level.
6. Allow for on-call bulky item collection at multifamily complexes for an additional charge.

7. Establish minimum container size and service level for certain customers.
8. Require that any person owning, occupying or managing any premises must subscribe to solid waste collection services.
9. Revise the method of calculating the annual change of rates from one that is based on regular Consumer Price Index (CPI) to one that is based on the CPI for Water and Sewer and Trash Collection Services.
10. Allow the franchisee to charge certain fees to cover collection costs.

Intent of the proposed ordinance or rule including issues to be resolved or other factors to be considered:

The intent of this proposed ordinance is to address certain issues regarding: the generation of solid waste at residential properties that is caused by commercial business activities; the contamination of recyclable materials; the ability to provide for on-call bulky item collection to multifamily complexes; adjusting collection and other rates by the change in the Consumer Price Index for Water and Sewer and Trash Collection Services that is more aligned with the franchisee's business activities; the establishment of commercial rates for short-term residential rentals once they become licensed; requiring all persons owning, occupying or managing any premises in the County to subscribe to solid waste collection services in order to discourage the illegal handling of solid waste; and implementing a collection program to minimize the placement of liens on properties.

Description of the manner in which public comment, data or arguments was solicited from affected businesses and/or community stakeholders:

Numerous meetings were held in 2021 and 2022 with the solid waste franchisee and with the Clark County Water Reclamation District to discuss the proposed provisions of this ordinance. In addition to these discussions, on February 14, 2022, the County sent a Notification of Proposed Amendments to Clark County Code, Title 9, Chapter 9.04 (Notification Letter, Attachment #1) to various business associations, chambers of commerce, attorneys and other interested parties. The Notification Letter was also published in the Las Vegas Review-Journal, El Tiempo, the Asian Journal, the Las Vegas Chinese Daily News, and the Philippine Times of Southern Nevada (Attachment #2). The Notification and proposed ordinance were also available on the Department of Business License's website. Recipients of the Notification Letter were encouraged to respond with any comments or concerns regarding the proposed ordinance.

Summary of public comment, data or arguments including the number of public comments received:

Following a comment period that lasted 19 business days, no comments were received.

The estimated economic effect of the proposed ordinance or rule on businesses:

1. Adverse effects

The proposed ordinance will require certain residential customers that operate a business from their residential premises and generate excessive trash from the operations of that business to obtain and pay for commercial solid waste collection services and be subject to overflow charges. Minimum container and service level requirements for certain businesses could require a business to incur additional collection charges to handle the solid waste disposal needs of that customer.

2. Beneficial effects

The quality of recyclable materials should increase with less contamination, thereby making such material more marketable. The collection program should reduce the number of liens placed on property for nonpayment of charges thereby saving customers lien fees. Certain residential customers would be allowed to request a residential small container (1, 2 or 3 cubic-yard) to handle their solid waste needs. Minimum container and service level requirements for certain businesses could result in less trash overflow and more sanitary storage of solid waste.

3. Direct effects

The rates for solid waste collection and other charges will change annually based on a CPI index (Water and Sewer and Trash Collection Services) that traditionally is greater than the regular CPI that is currently being used, however, for the fiscal year beginning July 1, 2022, the new indexed rates will be less than those calculated using the regular CPI.

4. Indirect effects.

Requiring that all persons owning, occupying or managing any premises to subscribe to solid waste collection services would simplify the provision regarding mandatory trash service.

5. Other economic effects to be considered.

No other economic effects were identified.

The estimated cost to the local government for the enforcement of the proposed ordinance or rule:

It is estimated that the cost to enforce the Proposed Ordinance will be absorbed by current staff.

The estimated cost to the local government for the administration of the proposed ordinance or rule:

It is estimated that the cost to administer the Proposed Ordinance will be absorbed by current staff.

If applicable, explanation of a new fee or increase to an existing fee including a projection of the annual revenue expected to be collected and the manner in which the revenue will be utilized:

The new fees created by this ordinance for short-term residential rentals and for residences that have a commercial account are fees charged and collected by the franchisee of which the County would receive 5% in franchise fees. The total amount of increase in franchise fees would depend on the number of short-term residential rentals and residences with a commercial account and the amount of solid waste collections services for these properties, which cannot be determined at this time. Any increase in franchise fees would go to the General Fund.

Assessment of provisions of the proposed ordinance or rule, which may duplicate or are more stringent than Federal, State or local standards regulating the same activity:

The proposed amendments do not duplicate and are not more stringent than Federal, State or local standards.

If applicable, explanation of why the duplicative or more stringent provisions are necessary:

Not applicable.

Description of the methods that local government considered to modify the proposed ordinance or rule; or otherwise reduce the impact of the proposed rule on businesses, the parties involved, and a statement of the methods used:

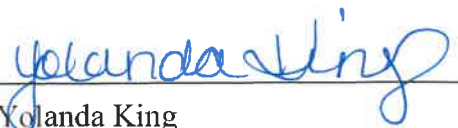
Although no comments were received, the County analyzed the potential impact on businesses and determined that the benefit to the public outweigh any additional costs to businesses.

The reasons for the conclusions regarding the impact of the proposed rule on businesses:

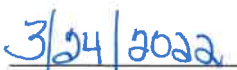
In order to ensure the health and safety of the public regarding the safe and sanitary collection and disposal of solid waste we feel that the provisions in the Proposed Ordinance are necessary.

Certification of Business Impact Statement

I certify that, to the best of my knowledge or belief, the information contained in this Business Impact Statement was prepared properly and is accurate.



Yolanda King
County Manager



Date