

CITY OF NORTH LAS VEGAS

Business Impact Statement

Ordinance No. 3231

Amendment to the City of North Las Vegas Municipal Code

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND CHAPTER 8.20 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY AMENDING THE CPI DEFINITION USED FOR RATE INCREASES AND ASSOCIATED SOLID WASTE MANAGEMENT RATES.

Upon request, a copy of this Business Impact Statement may be obtained from the City of North Las Vegas City Clerk's Office. Requests should be sent to:

City of North Las Vegas
City Clerk
2250 Las Vegas, Blvd., Ste 800
North Las Vegas, NV 89030

A copy may also be obtained from the following website:

<https://www.cityofnorthlasvegas.com/utilities>

Title of proposed Ordinance:

Amendment to Chapter 8.20 of the North Las Vegas Municipal Code (NLVMC) to amend CPI definition and associated rates for solid waste management services.

Description of proposed ordinance:

The proposed amendments to NLVMC Chapter 8.20 - Solid Waste Management changes the category of the Consumer Price Index (CPI) that is used to make adjustments to the rates detailed in the ordinance, makes related conforming changes, and makes minor corrections and clarifications to the chapter, including by listing the current rates, fees, and charges for solid waste services being charged by Republic Services, the City's franchisee for solid waste management services. Under NLVMC 8.20.290, the rates, fees, and charges established pursuant to NLVMC 8.20, other than pass through rates, fees, and charges, are adjusted annually based on the CPI and made effective on July 1 of each year. The proposed amendments will change the CPI used to adjust rates, fees, and charges for solid waste services from "the 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" ("CPI-U") to "the Historic Consumer Price Index, for water and sewer and trash collection services, U.S. city average, all urban consumers, not seasonally adjusted (Current Series ID: UUR0000SEHG), index base period December 1997=100, as published by the U.S. Department of Labor, Bureau of Labor Statistics, Washington D.C." ("CPI-WST"). The rates detailed in Ordinance No. 3231 reflect the current rates charged to users. The provisions of Chapter 8.20 of the NLVMC have not been updated since September 21, 2011 (Ordinance No. 2587) and the rates have increased since that time via annual rate changes using CPI-U adjustments.

Intent of the proposed ordinance:

Use of a CPI-WST that is tied to the related industry and widely adopted across local jurisdictions. Other jurisdictions in Southern Nevada have amended their solid waste ordinance and/or franchise agreement with Republic Services to reflect the CPI-WST instead of CPI-U for annual rate adjustments. Clark County approved similar amendments in April 2022. Las Vegas approved similar amendments in November 2023. Henderson approved similar amendments in November 2024.

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

The City of North Las Vegas Business License Division emailed a notification letter and a copy of Ordinance No. 3231 detailing the amended language in NRS Chapter 8.20 to businesses in the City, chambers of commerce and trade associations on January 30, 2025. Ordinance No.3231 was also posted on the City's website on January 30, 2025.¹ Those receiving the notification letter and a copy of Ordinance No. 3231 were provided until February 24, 2025 to respond.

Chambers of Commerce and Trade Associations that were notified:

Chambers of Commerce

American Vietnamese Chamber
Asian Chamber
Boulder City Chamber
Gay and Lesbian Chamber of Commerce
Henderson Chamber of Commerce
Indian Chamber
Korean Chamber
Latin Chamber
Laughlin Chamber
Mesquite Chamber
Moapa Valley Chamber
Peruvian Chamber of Commerce
Sin City Chamber
Urban Chamber
Vegas Chamber
Women's Chamber
African Chamber of Commerce and Tourism
Armed Forces Chamber of Commerce
Filipino American Chamber of Commerce of Greater Nevada
Korean American Chamber of Commerce, Nevada
Las Vegas Asian Chamber of Commerce
Las Vegas Health & Fitness Chamber of Commerce
Las Vegas Wedding Chamber of Commerce
Native American Chamber of Commerce

¹ The rates detailed in the draft of Ordinance No. 3231 that the City sent via email on January 30, 2025 and that was originally published on the City's website on January 30, 2025 were not accurate. The rates detailed in the January 30th version of Ordinance No. 3231 were higher than the actual current rates. The version of Ordinance No. 3231 dated February 10, 2025 that was posted to the City's website reflects the current rates.

Southern Nevada Veterans Chamber of Commerce
Ward 5 Chamber of Commerce Las Vegas

Trade Associations

ABC (Associated Builders and Contractors)
NAIOP (National Association for Industrial and Office Parks)
Nevada Banking Association
Nevada Broadcasters Association
Nevada Farmers Bureau
Nevada Franchised Auto Dealers Association
Nevada Homebuilders Association
Nevada Hospital Association
Nevada Manufacturers Association
Nevada Mining Association
Nevada Petroleum Marketers and Convenience Store Association
Nevada Resort Association
Nevada Restaurant Association
Nevada Rural Electric Association
Nevada Rural Hospital Partners
Nevada Taxpayers Association
Nevada Trucking Association
Retail Association of Nevada
Southern Nevada Homebuilders Association
Building Owners and Managers Association
Certified Commercial Investment Member Association of Southern Nevada
Clark County Association of Health Underwriters
Clark County Medical Society
Commercial Alliance Las Vegas
Greater Las Vegas Association of Realtors
Las Vegas Hospitality Association
Nevada Business Aviation Association
Nevada Hotel and Lodging Association
Nevada Legal Services
Nevada Press Association
Nevada Professional Facility Managers Association
Nevada Society of Certified Public Accountants
Nevada Subcontractors Association
Nevada Telecommunications Association
Public Relations Society of America, Las Vegas Valley Chapter
Work Health Solutions

Summary of comments received regarding the proposed ordinance:

No objections or concerns were raised by affected businesses. In response to the notice provided to the City, the City received two inquiries from individuals seeking additional information about the ordinance. In response, the City posted an informational sheet on the City's website. Additionally, the City reached out to the individuals who submitted inquiries. One individual had their questions answered; the other individual did not respond to the City after an employee returned the individual's initial call.

Total number of business likely to be affected by the ordinance:

The ordinance does not contain a new rule or fee. The ordinance details that a new CPI (CPI-WST) will be used to determine rate adjustments going forward. The ordinance in effect already details that the rates are adjusted annually via CPI-U; Ordinance No. 3231 changes the adjustment mechanism from CPI-U to CPI-WST. The City cannot predict the effect of the use of the CPI-WST index on the rates that businesses in the City will pay to the franchisee, Republic Services, for solid waste disposal and management services.

Summary of any workshops held pursuant to NRS.237.080:

No workshops were conducted pursuant to NRS 237.080(5) because no chamber of commerce or trade association requested that the City conduct a workshop.

Estimated economic effect of the proposed ordinance on businesses:

- a. Explain the adverse and beneficial effects:

Adverse effects: To the extent CPI-WST is higher than CPI-U when the annual adjustment to rates, fees, and charges is made, businesses will pay higher solid waste collection rates.

Beneficial effects: Rates will be based on a CPI specific to solid waste collection and be more accurately aligned with the economic environment in which the solid waste industry operates.

- b. Explain the direct and indirect effects:

Direct effects: See adverse and beneficial effects above.

Indirect effects: The increases in charges, rates, and fees will affect business operating expenses in the future.

Estimated cost of enforcement of proposed ordinance:

Annual rate calculations and the collection of fees are performed by the franchisee, Republic Services, and the franchisee remits franchise fees to the City. No additional enforcement costs by the City are expected.

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:

Any rate increases over time will be collected by the franchisee. The franchise fee collected and remitted to the City remain at the same rate, based on gross revenues.

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

The proposed ordinance does not duplicate nor is it more stringent than existing federal, state or local standards regulating the same activity.

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

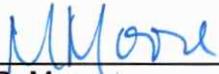
The use of CPI-WST for rate adjustments ties the adjustments to the related industry and has been adopted by local jurisdictions in Southern Nevada. By switching from CPI-U to CPI-WST, the annual fee adjustment mechanism aligns with the mechanism used in City of Las Vegas (section 9.08.020 of the Las Vegas Municipal Code), Clark County (section 9.04.260(a) of the Clark County Code), and Henderson (Ordinance No. 4044 approved on November 6, 2024) to annually adjust rates, fees, and charges for solid waste service.

Reasons for the conclusions regarding the impact of the proposed ordinance change on businesses:

To the extent that use of the proposed CPI-WST results in increased rates, fees, and charges for solid waste services over time, the difference likely will not be significant given that any increased rate would be increased by the difference between CPI-U and CPI-WST and will not likely restrict the formation, operation, or expansion of a business in the City.

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.



Micaela R. Moore
City Manager



Date