

Las Vegas, Nevada Code
Pertaining to Water
Source: Municode

14.11.010 - Purpose.

This Chapter is intended to establish aggressive water conservation measures and enhance efficient utilization of water resources. Water purveyors normally rely on conservation as an essential resource to help meet water needs; however, the existence of drought conditions affecting the Colorado River Basin mandates additional conservation measures. These measures are intended to implement the Southern Nevada Water Authority's (SNWA) Drought Plan, which was adopted as part of SNWA's Water Resource Plan.

"Drought" means a condition in which the combination of many complex factors acting and interacting with the environment results in water supplies not being replenished normally. For purposes of this Chapter, a "drought" occurs when existing water supplies cannot meet established demands for a period of time.

"Reclaimed Water" means municipal wastewater that has been treated to meet all applicable federal, state and local standards for use in approved applications, including without limitation landscape irrigation, construction and industrial cooling. For purposes of this Chapter, "reclaimed water" and "recycled water" are equivalent terms.

"Water Use Reduction Plan" means a document or documents to be submitted by or on behalf of an applicant in connection with a request to exempt fountains or water features from the prohibitions contained in this Chapter. The term includes a plan that is modeled after the Water Efficiency and Drought Response Plan outline or similar document that may have been approved for use by the District or the City Manager.

"Xeriscape" means a type of landscaping that incorporates drought-tolerant and low water-use plants with an organic or inorganic surface mulch layer as a water-efficient alternative to traditional turfgrass landscaping.

14.11.030 - Drought plan—Adopted by Reference.

The Drought plan adopted by the SNWA in February 2003 and approved by the City Council in March 2003, and any amendments adopted by SNWA, shall serve as the basis for adopting this Chapter, and as a guideline in its interpretation. The drought plan was adopted in order to preserve, protect and encourage the conservation of water resources. In the event of conflict between the provisions of this Chapter and other applicable ordinances, regulations or the Service Rules, the most stringent provisions will prevail. However, with respect to any provision of the Service Rules that is less stringent than the provisions of this Chapter, the District may enforce that provision instead.

14.11.070 - Wasting water after notice given.

(A) It is unlawful for any owner, occupant, or manager of real property served by a water provider to waste water after a notice of water waste has been issued. The waste of water includes without limitation the following:

(1) Allowing water to flow or spray into a public street, alley, right-of-way, gutter or drain; and

(2) Failure to repair a water leak.

(B) It is unlawful for anyone to permit the excess use, loss or escape of water through a break, leak or malfunction in the water user's plumbing or distribution facilities for any period of time after the excess use, loss or escape should have been reasonably discovered and corrected.

(C) Where public sewer is available, swimming pool water, when drained, must be discharged into an approved-type receptor and subsequently into a public sewer in accordance with applicable laws and regulations.

14.11.090 - Water uses—Prohibited—Hours designated.

Between May 1st and September 30th, it is unlawful to use water for the spray irrigation of turf, gardens, trees, shrubbery, or other vegetation between the hours of eleven a.m. and seven p.m.

14.11.110 - Water restrictions—Exemptions.

The following are exempt from the watering restrictions described in Section 14.11.100 above:

(A) Hand watering for the purpose of preserving lawn or shrubbery so that vegetation does not die;

(B) Irrigation of new lawns or re-seeding of an existing lawn, for a period of thirty days from the date of planting or installation;

(C) Drip and/or bubbler irrigation systems, provided that they are not run more frequently than would be permitted for spray irrigation;

(D) Irrigation of commercial stock by commercial gardens or plant nurseries that are licensed by the City, provided that the licensee or a representative is personally on the premises at the time the irrigation is taking place;

(E) Testing of landscape irrigation systems, provided that the person performing the test is present to observe system performance;

(F) Municipal operations or procedures that are necessary to protect the health, safety and well-being of the public; and

(G) Such other activities as may be exempted under the service rules, including an exemption from the mandatory watering schedule for properties that use automated weather-based controllers ("smart controllers"). The availability and duration of any such exemption shall be in accordance with the service rules and subject to the approval of the District.

14.11.120 - Watering of community use recreational turf.

The watering of community use recreational turf and turf at other government facilities shall be in accordance with the service rules and any watering schedules adopted or approved thereunder.

14.11.190 - Potable or non-potable water utilization—Prohibitions—Exceptions.

(A) Fountains and water features are prohibited upon property that is serviced by the District. The following features, however, are exempt from this prohibition:

(1) Swimming pools;

(2) Fountains and water features that are supplied by privately-owned water rights, by water rights obtained by means of a State-issued permit, or by nuisance water discharged during normal facility dewatering;

(3) Not more than one fountain or other water feature at any single-family residence, provided that the surface area of the fountain or other water feature does not exceed twenty-five square feet;

(4) Not more than one fountain or other water feature within the common areas of a single-family or multi-family development, provided that the fountain or other water feature is not an entryway or streetscape feature and its surface area does not exceed twenty-five square feet;

(5) Fountains or water features that are necessary and functional components serving other allowable uses, such as storage ponds on a golf course or aeration devices;

(6) Fountains or water features within public parks and public or private recreational water parks, provided that the fountains or water features have a recreational function and are not merely decorative;

(7) Indoor water features, or features with the majority of the total water volume contained indoors or underground. If practical alternatives exist for separating indoor and outdoor components, they shall be separated and managed accordingly. (Example: timers on shut-off valves);

(8) Fountains or water features necessary to sustain aquatic animals, provided that the animals have been actively managed within the water feature prior to the declaration of drought.

(B) The following fountains or water features may be exempted from the prohibition contained in Subsection (A) in accordance with the remaining provisions of this Section:

(1) Fountains or water features that are integral to the operation of a resort hotel or a coalition of resort hotels; or

(2) Other fountains or water features that are proposed to be allowed in exchange for water use reduction activities in accordance with Subsection (D) of this Section.

(C) In order to be eligible for an exemption pursuant to Subsection (B), an applicant must submit a request for exemption and a water use reduction plan. The request for exemption must be submitted in writing to the City Manager, to be forwarded to the City Council for consideration. The water use reduction plan must be submitted to the District, with a copy to the City, and must contain such information, and be in a format, that is satisfactory to the District. Any exemption shall be conditioned upon the posting of one or more signs in proximity to the exempted fountain or water feature stating that the fountain or water feature is operating in compliance with this Chapter and that a water use reduction plan is on file with the District and the City.

(D)The granting of any exemption pursuant to Subsection (B)(2) of this Section shall be subject to the following conditions:

(1)The fountains or water features for which an exemption is sought must not be operational at the time the exemption is applied for, except as permitted in Subsection (F) of this Section;

(2)The submitted water use reduction plan must provide for a minimum total water savings of greater than fifty times the consumptive use of the operation of the fountain or water feature;

(3)The water use reduction plan must have been submitted to the District and implemented by the applicant;

(4)In the event that the required consumptive use savings cannot be achieved on the property that has the fountain or water feature, the applicant must pay to the City a fee of ten dollars for every square foot of surface area of the fountain beyond that which is accounted for in the removal of turf on the property to achieve the required consumptive use savings. If there is no turf on the subject property, the ten dollar per square foot fee must be paid for the entire square footage of the water feature; and

(5)In order to maintain an exemption beyond the calendar year in which the exemption was granted, an annual fee of two hundred fifty dollars must be paid to the City. The first annual fee is payable:

(a)For exemptions granted during the first six months of a calendar year, at the beginning of the next succeeding calendar year.

(b)For exemptions granted during the last six months of a calendar year, at the beginning of the second succeeding calendar year.

(E)In order to continue to operate any fountain or water feature that is integral to the operation of a resort hotel or a coalition of resort hotels, that is prohibited by Subsection (A) of this Section, and that is in operation on the effective date of the Ordinance codified in this Section, a request for exemption and water use reduction plan must be submitted within ninety days after the effective date of the Ordinance codified in this Section. If the exemption is not approved, the fountain or water feature may not be operated except as permitted in Subsection (F) of this Section.

(F)Nothing in this Section that prohibits or limits the operation of fountains or water features shall be deemed to:

(1)Prohibit the construction of fountains or water features; or

(2)Require a fountain or water feature to be drained if maintaining a recirculating water pool is necessary in order to maintain pumps, pond liners, and ancillary equipment, but in such a case the recirculating water pool may only be operated between the hours of one a.m. and four a.m.

14.11.200 - Private covenant, condition, restriction, deed clause—Enforcement.

No person or association may impose or enforce any private covenant, condition, restriction, deed clause or other agreement to prevent a person from utilizing water efficient landscaping, including without limitation xeriscape, provided such landscaping receives appropriate architectural review

approval. In any event, landscaping materials and designs may not be prohibited solely on the basis that they make use of water-efficient landscaping.

14.08.040 - Waste of water designated.

Any one of the following acts shall constitute waste of water, as the term is used in this Chapter:

- (A) Permitting a hydrant, tap, cock or valve connected with any water system belonging to any public utility, to leak into the ground or into any sink, bowl, toilet or tub connected with a sewer or cesspool, or permitting water to drain from a person's premises into any street, alley or road, after the person permitting the same has been notified to remedy such leak or to prevent such draining by any public officer, or an agent of any public utility, as hereinafter defined;
- (B) Using water from any water system belonging to any public utility for the purpose of cooling any refrigerator, refrigerating machine, ice plant, ice machine, cooler, cooling plant, cooling system, air-conditioning machine or apparatus, engine or motor, where said water, after being so used, is permitted to flow into a sewer or cesspool or onto the ground; provided, however, that the use of water for such cooling purposes is not prohibited where, after being so used, it is collected, recooled and reused, and is not permitted to flow into a sewer, cesspool, or onto the ground;
- (C) Permitting water from any water system belonging to any public utility to flow from any hose, tap, valve, hydrant, pipe or cock directly into any sewer or cesspool for thirty minutes or longer without first putting such water to a beneficial use, and each thirty minutes such water is permitted to so flow shall constitute a separate offense;
- (D) Permitting water to leak from any water main in a water system belonging to any public utility for an unreasonable length of time.

14.08.120 - Covenants preventing water-efficient landscaping prohibited.

Any person(s) or association(s) are prohibited from imposing private covenants, conditions, restrictions, deed clauses or other agreements between the parties, which prevents person(s) from utilizing water-efficient landscaping in the conservation of water provided such landscaping receives appropriate architectural review approval. In any event, landscaping designs may not be prohibited solely on the basis that such design makes use of water-efficient landscaping.

14.08.130 - Irrigation—Definitions.

For the purposes of LVMC [14.08.130](#) through [14.08.150](#), the following terms, phrases, words and their derivations shall have the following meanings:

- (A) "Customer" means any person who is an owner, occupant or user of real property to which water is supplied by a public water system. "Customer" shall also mean any person who uses water supplied by a public water system, or to any person who is billed for the supply of water from a public water system, or to any person who is responsible for or otherwise has the right or permission to utilize the supply of water provided by a public water system.
- (B) "Hand watering" means the use or application of water by a customer or any person through a hose connected to a piping system while such hose is hand held by an individual and such water is

sporadically used for any exterior purpose or is otherwise expended outside any dwelling, building or structure.

(C)"Irrigate" means to apply or to expend water onto land whether by channels, by flooding, by sprinkling or any other means whatsoever.

(D)"Person" means any natural person, any group of persons, any firm, partnership, association, corporation, company or any other organization or entity.

(E)"Public water system" means any network of pipes, conduits, wells, machinery, reservoirs, holding tanks and any other components, including any combination thereof, which supplies water to customers who are charged a fee of any kind or nature for such service or which is designed to supply or is capable of supplying water to customers for a fee at two or more dwellings, buildings, structures or lots.

(F)"Wastewater" means treated effluent from any sewer treatment plant operated by a governmental or private entity.

(G)"Water" refers to all water, including wastewater, supplied to any customer who uses water.

14.17.030 - Declaration of policy.

It is declared to be the policy of the City to protect the health, welfare and safety of the residents thereof by constructing, operating and maintaining a system of sewers and liquid waste treatment and disposal facilities that service the homes and commercial and industrial establishments within the City and its environs, as required by State and Federal law. The following basic principles apply to wastewater that is discharged into the system:

(A)The highest and best use of the system is the collection, treatment and reclamation or disposal of domestic wastewater. The use of the system for industrial waste discharges is subject to regulation by the City;

(B)Industry is urged to seek procedures for the recovery and reuse of industrial waste discharges which will satisfy the limitations that are prescribed for industrial discharges, rather than the procedures that are designed solely to meet discharge limitations;

(C)The City is committed to a policy of wastewater renovation and reuse in order to provide an alternate source of water supply and to reduce the overall costs of wastewater treatment and disposal. The renovation of wastewater through wastewater treatment processes may necessitate more stringent quality requirements with respect to industrial waste discharges as the demand for reclaimed water increases. The optimum use of the City's facilities may require the discharge of wastewaters during periods of low flow into the system in accordance with guidelines that are established by the City;

(D) Provisions are made in this Chapter to regulate industrial discharges, to comply with the State and Federal requirements and policies, and to satisfy increasingly higher standards of treatment plant effluent quality and environmental considerations. This Chapter establishes quantity and quality limitations on wastewater discharges in situations in which such discharges may adversely affect the system or the quality of the effluent therefrom, or both. These limitations are intended to improve the quality of wastewater being received for treatment and to encourage water conservation by all of the

users who are connected to the system. The intent of the City's policy is to discourage an increase in the quantity (mass emission rate) of waste parameters that are discharged; and

(E) Methods of cost recovery are established for situations in which industrial discharges impose upon the City the costs of collection, treatment or disposal, or any combination of such costs, and recovery of those costs is necessary in order to be fair and equitable to all users of the system.

14.18.070 - Illicit discharges prohibited—Exceptions.

(A) It is unlawful for any person to discharge or cause to be discharged into the storm system any non-stormwater, unless the discharge has been authorized by NDEP and approved by the Director, or is one of the following:

(1) water line flushing; water from other potable water sources; landscape irrigation or lawn watering; diverted stream flows; rising ground water; ground water infiltration to the storm system; foundation or footing drains (not including active groundwater dewatering systems); crawl space pumps; air conditioning and swamp cooler condensation; springs; non-commercial washing of vehicles; natural riparian habitat or wetland flows; firefighting activities; or any other water source not containing pollutants, provided that NDEP has not determined the source to be a substantial contributors of pollutants.

(2) Dechlorinated swimming pool water (less than one mg/L chlorine), provided that a suitable connection to the sanitary sewer is not available, as determined by the Director, and permission to discharge swimming pool water into the storm system has first been obtained from the Director.

(3) Discharges specified by NDEP as being necessary to protect public health and safety.

(4) Dye testing, provided that notification, either verbal or written, is given to the Director prior to the time of the testing.

(B) It is unlawful for any person to discharge or cause to be discharged into any surface waters within the City any pollutant, without first obtaining from NDEP an NPDES permit authorizing the discharge, when such a permit is required by the Act.

(C) It is unlawful for any person to discharge or cause to be discharged into the storm system any non-stormwater that would cause a violation of the City's NPDES stormwater permit.