

ORDINANCE NO. 1875

AN ORDINANCE OF THE CITY OF BOULDER CITY, NEVADA AMENDING BOULDER CITY MUNICIPAL CODE, TITLE 1, ADMINISTRATION, CHAPTER 10, EMERGENCY MANAGEMENT, TITLE 2, DEPARTMENTS, CHAPTER 6, PUBLIC WORKS DEPARTMENT AND CHAPTER 7, UTILITIES DEPARTMENT; TITLE 9, PUBLIC WAYS AND PROPERTY, CHAPTERS 5, UNDERGROUND INSTALLATIONS REQUIRED, CHAPTER 8, WATER UTILITY REGULATIONS, CHAPTER 9, SEWER UTILITY, CHAPTER 10, ELECTRIC UTILITY REGULATIONS, AND CHAPTER 14 BOULDER CITY WATER CONSERVATION PLAN TO RE-ASSIGN STAFF RESPONSIBILITIES

THE CITY COUNCIL OF BOULDER CITY DO ORDAIN:

Section 1. Boulder City, Nevada, does by this Ordinance hereby amend Boulder City Municipal Code by Amending Boulder City Municipal Code, Title 1, Administration, Chapter 10, Emergency Management, Title 2, Departments, Chapter 6, Public Works Department and Chapter 7, Utilities Department, Title 9, Public Ways And Property, Chapters 5, Underground Installations Required, Chapter 8, Water Utility Regulations, Chapter 9, Sewer Utility, Chapter 10, Electric Utility Regulations, and Chapter 14 Boulder City Water Conservation Plan to re-assign staff responsibilities as shown on **Exhibit A**.

Section 2. VALIDITY. Each section and each provision or requirement of any section of this ordinance shall be considered separable and the invalidity of any portion shall not affect the validity or enforceability of any other portion.

Section 3. PUBLICATION. The City Clerk shall cause this Ordinance to be published in summary on January 30, 2026 in the Las Vegas Review Journal, a daily newspaper published in Las Vegas, Nevada.

Section 4. EFFECTIVE. This Ordinance shall become effective the 19th day of February, 2026.

DATED and APPROVED this 27<sup>th</sup> day of January, 2026.

ATTEST:



Tami McKay, City Clerk



Joe Hardy, Mayor

Bill No. 2092  
Introduced by: Walton

The foregoing Ordinance was first proposed and read by title to the City Council on the 13<sup>th</sup> day of January, 2026, which was a regular meeting; thereafter, on the 27<sup>th</sup> day of January, 2026, a regular meeting was held and the proposed Ordinance was adopted by the following vote:

VOTING AYE: Hardy, Jorgensen, Booth, Ashurst, Walton

VOTING NAY: None

ABSENT: None

DATED and APPROVED this 27<sup>th</sup> day of January, 2026.

ATTEST:

  
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Tami McKay, City Clerk

  
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Joe Hardy, Mayor

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## **Title 1, Chapter 10 EMERGENCY MANAGEMENT**

### **1-10-11. CONTINUITY OF GOVERNMENT.**

- A. In order to continue governmental functions, it is necessary to establish replacements for key positions. The following positions are considered key positions in emergency management, and any absences and vacancies will be filled by the person holding the title indicated or, if the title indicated does not correspond with an existing position, by the person holding the functionally equivalent position under a different title, in order as follows or as assigned by the City Manager or Director of Emergency Management:
1. City Manager—Absence or vacancy filled by the deputy City Manager [~~as set forth in the City Charter~~].
  2. Mayor Absence or vacancy filled by: Mayor Pro Tempore or designee.
  3. Chief of Police—Absence or vacancy filled by: Deputy Police Chief or designee.
  4. Fire Chief—Absence or vacancy filled by: Deputy Fire Chief or designee.
  5. Director of Public Works—Absence or vacancy filled by: Deputy Public Works Director [~~City Engineer~~] or designee.
  - ~~6]. [Director of Utilities—Absence or vacancy filled by: City Engineer or designee].~~
  - 6 ~~7].~~ City Attorney—Absence or vacancy filled as set forth in the City Charter.
  - 7 ~~8].~~ City Clerk—Absence or vacancy filled by Deputy City Clerk.
  - 8 ~~9].~~ Other Department—Vacancies to be filled by appointment by the City Manager as necessary.
- B. Any person filling a vacancy pursuant to this section shall hold such position as "Acting (title)" until the position is duly filled in accordance with any applicable law.

(Ord. 1846, § 1(Exh. A), 8-27-2024)

## **Title 2, Chapter 6 PUBLIC WORKS DEPARTMENT**

### **2-6-1. DEPARTMENT ESTABLISHED.**

There is hereby established a Department of Public Works.

(Ord. 18, 12-28-1959, eff. 1-4-1960)

### **2-6-2. DIRECTOR.**

The head of the Department of Public Works shall be the Director of the Public Works Department.

- A. *Compensation.* The Director of the Public Works Department shall receive an annual salary as set from time to time by the City Council. In the event the City Manager shall serve as the Director of Public Works, he shall receive no additional salary therefor.
- B. *City Engineer As Director.* At the discretion of the City Manager, the Director of the Public Works Department may, or may not, also be the City Engineer.

(Ord. 18, 12-28-1959, eff. 1-4-1960)

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### **2-6-3. POWERS AND DUTIES OF DEPARTMENT.**

The Public Works Department shall have the following powers and duties:

- A. Maintenance Of City Property: To perform all needed work and labor in connection with the maintenance of the City's properties, both real and personal, which is not performed by independent contractors.
- B. Directs, manages, and oversees the operations of the City's Public Works Department, including Infrastructure Design and Construction, Fleet Management, Streets and Flood Control Maintenance, Facilities Management and Parks and Facilities Maintenance.
- C. Directs and oversees the development and administration of the department budget in collaboration with the City Manager's Office; forecasts the need for additional operating funds; monitors and approves expenditures.
- D. Monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; ensures that services are provided according to federal, state, and local laws, ordinances, rules, and regulations; identifies opportunities for improvement; directs the implementation of changes.
- E. Capital Improvement Plan: Implementation of the current plan and forecast future capital needs based on sound documentation and education.

(Ord. 18, 12-28-1959, eff. 1-4-1960; Ord. 679, 2-12-1980, eff. 3-5-1980; Ord. 1605, exh. A, 7-10-2018, eff. 8-2-2018)

## ***Title 2, Chapter 7 UTILITIES DEPARTMENT***

### **2-7-1. DEPARTMENT ESTABLISHED.**

There is hereby established a Utilities Department, and the head of the Department shall be the Public Works Director who shall oversee the Utilities Department.

(Ord. 1605, exh. B, 7-10-2018, eff. 8-2-2018)

### **~~2-7-2. DIRECTOR.~~**

~~The head of the Department of Utilities shall be the Director of the Utilities Department.~~

- ~~A. *Compensation.* The Director of the Utilities Department shall receive an annual salary as set from time to time by the City Council. In the event the City Manager shall serve as the Director of Utilities, he shall receive no additional salary therefor.~~

~~(Ord. 1605, exh. B, 7-10-2018, eff. 8-2-2018)~~

### **2-7-2[3]. POWERS AND DUTIES OF DEPARTMENT.**

The Utilities Department shall have the following powers and duties:

- A. Utility Maintenance. It shall specifically be the duty of the Utilities Department to maintain all City water mains and lines and City sewer mains and lines and the City trash service, including, but not limited to, supervision of the City landfill and the operation and maintenance of the City sewer disposal plant, except as shall be performed by independent contractors.

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- B. Electrical System. It shall further be the obligation of the Utilities Department to operate, maintain and replace the electrical distribution system for the City.
  - C. Utility Rates. Each utility shall be operated as a separate business center and rate schedules may be adjusted annually in a manner consistent with costs of capital, as well as the fixed and variable costs of operation and maintenance within each utility.
  - D. Directs and oversees the development and administration of the department budget in collaboration with the City Manager's Office; forecasts the need for additional operating funds; monitors and approves expenditures.
  - E. Capital Improvement Plan. Implementation of the current plan and forecast future capital needs based on sound documentation and education.
  - F. Develop long term strategies to maintain and upkeep efficient utilities systems and minimize major increases or decreases in rates.

(Ord. 1605, exh. B, 7-10-2018, eff. 8-2-2018)

## ***Title 9***

### **9-5-3. EXCEPTIONS.**

- A. *Municipal Equipment.* Except Municipal equipment installed under the supervision of and to the satisfaction of the [Utilities] **Public Works** Director, such as street light poles, etc., but not restricted thereto. All conductors to such structures shall be underground in accordance with this Chapter.
- B. *New High-Voltage Lines.* Except new high-voltage transmission lines transmitting electricity of over fifteen thousand (15,000) volts, which will be carried on poles, with the type and location to be approved by the [Utilities] **Public Works** Director. The type of poles shall be commensurate with the areas to be developed.
- C. *Wires Of Continuous Lead.* Except wires of a continuous lead crossing any portion of the area from which overhead wires have been prohibited, or connecting to buildings on the perimeter of such portion, when such continuous lead originates in any area from which poles and overhead wires and associated overhead structures are not prohibited.
- D. *Radio Antenna.* Except radio antenna and associated equipment and supporting structures used for furnishing communications services, but not including a communications distribution system on poles.
- E. *House Service Switch Boxes.* Except house service switch boxes and exposed conduit at buildings may be aboveground. The transformers will be pad mounted or of the submersible type installed below grade back of the walk. All communications enclosed terminal blocks will be preferably located adjacent to the transformers, but may be spaced otherwise if required.
- F. *Special Permission By Planning Commission.* Except the Planning Commission may grant special permission, on such terms as it may deem appropriate in cases of emergency or extreme hardship, without discrimination as to any person or utility company, to erect, construct, install, maintain, use or operate poles and overhead wires and associated overhead structures, notwithstanding any other provisions of this Section. Applications for such special permission shall be filed with the Planning Director, and shall be transmitted by the Planning Director to the Planning Commission along with any recommendation which he may have regarding the granting or denial of such application.

(Ord. 301, 3-26-1968, eff. 4-29-1968; Ord. 1608, exh. A, 8-28-2018, eff. 9-20-2018)

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## 9-8-15. HYDRANT METER APPLICATION REQUIRED; CONSTRUCTION.

- A. *Opening By Authorized Persons.* No person excepting the [Utilities] **Public Works** Director, or the Water & Sewer Supervisor or any employee in his department directed by him so to do, or the fire chief and members of his department for fire purposes, shall open or attempt to open any fire hydrant or shall obtain water or attempt to obtain water therefrom, without first having obtained a hydrant meter in accordance with the regulations established by the city manager pertaining thereto.
- B. *Application; Deposit.* No person shall be granted a hydrant meter without first having complied with all applicable rules and regulations. Upon obtaining the meter, such person shall deposit the meter fee with the finance department. Upon the return of the meter to the [Utilities] **Public Works** Department, applicant shall be refunded said deposit; otherwise, the deposit shall be forfeited to the city.
- C. *Unauthorized Opening.* No person shall open or attempt to open a fire hydrant without obtaining a hydrant meter.

(Ord. 222, 8-10-1965, eff. 9-13-1965; Ord. 1608, exh. A, 8-28-2018, eff. 9-20-2018)

## 9-9-1. TERMS AND PHRASES; DEFINITIONS.

For the purpose of these regulations, certain terms and phrases shall be considered to have the following definitions:

**ACT OR THE ACT:** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251 et seq., and all applicable laws, regulations and guidelines.

**BIOCHEMICAL OXYGEN DEMAND (BOD):** The quantity of oxygen, expressed in milligrams per liter by weight, utilized in biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty degrees centigrade (20°C). The laboratory determinations shall be made in accordance with procedures set forth under the definition below of "standard methods".

**CITY:** The City of Boulder City.

**CONNECTION CHARGE:** A fee charged in order to equalize the investment in plant and equipment and other facilities made by the City. The charge is for the right of service to the sewer system.

**DEBT SERVICE:** The total or yearly cost of payment made by the City to amortize borrowed funds used in the construction of the sewerage system.

**DIRECTOR:** The [Utilities] **Public Works** Director or duly authorized representative.

**DOMESTIC SEWAGE:** The water transporting human and household waste from sanitary conveniences discharged to a public sewer.

**INDUSTRIAL WASTE:** Any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource, as distinct from domestic wastewater.

**MILLIGRAMS PER LITER (mg/l):** The same as parts per million and is a weight-to-volume ratio; the milligrams-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

**NORMAL WASTEWATER:** Wastewater discharged into the sanitary sewers in which the concentration of total suspended solids and BOD is not more than three hundred milligrams per liter (300 mg/l), and having no harmful or toxic substances.

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**PERSON:** Any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

**SEWER CHARGE:** Charges to the customer required by the City to pay cost for debt service, maintenance and operation of the sewer system, maintenance and operation of the wastewater treatment plant, billing cost, depreciation and other related expenses where wastes meet the definition of normal waste.

**SEWER SYSTEM:** The pipe or conduit system and all related facilities required to convey wastewater to the City wastewater treatment plant.

**SLUG:** Any discharge of water, sewage or industrial waste which in strength of concentration or quantity of flow exceeds the design capacity of the sewerage facilities or results in operational problems of the facilities. In general, increases greater than one hundred fifty percent (150%) of average and/or strength over a period of fifteen (15) minutes or less shall be considered a slug.

**STANDARD METHODS:** The examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water, Sewage and Industrial Wastes, published jointly by the American Public Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Associations.

**SURCHARGE:** The assessment, in addition to the regular sewer charge, which is levied on those persons whose wastes are greater in strength than the concentration values established as representative of normal sewage.

**SUSPENDED SOLIDS (SS):** Solids that either float on the surface of or are in suspension in water, sewage or industrial waste and which are removable by laboratory filtration devices. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "standard methods".

**TESTING OR ANALYSIS OF WASTEWATER:** The examination and analysis of the wastewater and its components by approved methods as set forth in the most recent editions of Standard Methods, ASTM Standard Test Procedures and EPA Manual of Methods for Chemical Analysis of Water and Waste. The Director may request that certain tests be conducted by a specified method.

**USER CHARGE:** That part of the sewage charge to cover the cost of operation and maintenances, including normal replacement cost, of the City wastewater treatment plant.

**WASTEWATER OR SEWAGE:** The water transporting human, animal and household wastes in a public or private drain and may include ground water infiltration, surface inflow and industrial wastes.

(Ord. 769, 11-13-1984, eff. 12-5-1984; Ord. 1608, exh. A, 8-28-2018, eff. 9-20-2018)

#### **9-10-4. SERVICE CONNECTIONS.**

A. *Fee.* The service connection fee must be paid prior to obtaining a building and/or electrical permit.

(Ord. 391, 12-8-1970, eff. 1-11-1971)

B. *Availability; Distance Requirement.* An electric supply main shall be deemed available to any premises if it shall be in a street, alley or easement within one hundred feet (100') of the property line of said premises. An off-site main extension shall be required of the owner for any distances in excess of one hundred feet (100') or when the load is such as to require an underground primary extension to a pad mount transformer located near the point of service (see Section 9-10-7 of this Chapter).

C. *Secondary Cables.* Underground secondary electric service cables including termination lugs, if required, from the service box or transformer to the main switch gear shall be furnished and installed by the owner if the service panel exceeds four hundred (400) AMP capacity. Cables to service entrance panels of four hundred (400) AMP capacity or less as well as overhead electric services, when permitted, will be furnished

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and installed by the City. Underground service conductors shall be installed in conduit. All conduit including the first ten feet (10') of rigid or IMC steel up the riser pole shall be furnished and installed by the applicant.

(Ord. 730, 10-12-1982, eff. 11-3-1982)

- D. *One Building Per Connection.* Not more than one building, nor more than one lot, tract or parcel of land shall be served by any service connection hereafter installed unless the circumstances are such that future separate ownership of the individual buildings or parcels of land is unlikely and a single customer shall be responsible for payment of City charges for such service.
- E. *Multiple Connections.* When more than one building, lot or tract of land is presently served by a single service connection and a single owner is responsible for payment of City charges, the single owner must continue to be responsible for payment.
- F. *Existing Connection; Additional Building.* No additional building or tract of land shall be served from any existing service connection except where the original premises plus the addition would qualify for a single new service as set forth above.
- G. *House Wiring.* All necessary wiring beyond the meter, hereinafter referred to as "house wiring," shall be installed, maintained and replaced by the owner.
- H. *Meter Installation.* Upon application and payment of applicable fees, and after City electrical inspection has been completed, the City will make the necessary electric service connections and install the meter.

(Ord. 391, 12-8-1970, eff. 1-11-1971)

- I. *Hazardous Conditions.* Where a condition exists in an electrical service or feeder which is a hazard to life or property, as determined by the [~~Utilities Director, the~~ Public Works Director, the City Engineer, the Electrical Engineer and/or the Building Official, the condition shall be corrected and modified to remove the hazard to comply with the National Electric Code and the provisions of this City Code. The City will provide the labor and material to make the modification to the City distribution system.
  - 1. The building and/or property owners shall make the necessary corrections on their own services or installation from the City distribution system to meet any changed conditions, codes and ordinances. A thirty (30) day notice shall be given to the owners outlining the changes to be made.

(Ord. 516, 10-8-1974, eff. 11-11-1974)

- a. Where such changes are required, and if it is feasible, the distribution system and services shall be installed underground. The building and/or property owners shall be responsible to modify their service to meet the underground system.
- J. *Modification Of Overhead Lines.* If it is determined that existing overhead electrical and communication distribution lines shall be placed underground, the City will provide the labor and material to make the modification to the City distribution system.
  - 1. The building and/or property owners shall make the necessary corrections on their own services or installation from the City distribution system to meet any changed conditions, codes and ordinances. A thirty (30) day notice shall be given to the owners outlining the changes to be made.

(Ord. 648, 1-9-1979, eff. 1-31-1979)

(Ord. 1608, exh. A, 8-28-2018, eff. 9-20-2018)

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## 9-10-5. RIGHTS OF WAY AND EASEMENTS.

- A. *Ownership.* The City shall own, operate and maintain all underground electrical lines along streets, roads and highways which the City has the legal right to occupy, and the applicant shall furnish said rights of way and easements across private property to the extent the same are necessary for such electrical facilities, and such rights of way and easements shall be furnished by the applicant at no cost to the City.

(Ord. 391, 12-8-1970, eff. 1-11-1971)

- B. *Joint Trench.* All main (primary and secondary) lines may be placed in a joint trench which is to follow a route designated and/or approved by the City Engineer and/or [Utilities] **Public Works** Director and/or the Electrical Engineer .

(Ord. 730, 10-12-1982, eff. 11-3-1982)

(Ord. 730, 10-12-1982, eff. 11-3-1982; Ord. 1608, exh. A, 8-28-2018, eff. 9-20-2018)

## 9-14-1. GENERAL PROVISIONS.

- A. *Purpose And Policy.* This chapter is intended to establish measures to enhance the efficient use of water and to prevent and discourage the wasting of water in Boulder City. Conservation is an essential resource to help meet water needs for the protection of public health, safety, and welfare.
- B. *Scope.* The provisions of this chapter shall apply to all water services (i.e., recycled, raw, potable, and reclaimed, customers).
- C. *Administration.* Except as otherwise provided herein, the [Utilities] **Public Works** Director or designee, shall administer, implement and enforce the provisions of this chapter.
- D. *Waivers.* There shall be no waivers or variances granted to the standards listed in this chapter. Such a request shall be considered a request to amend the requirements of this chapter and shall only be considered in accordance with the proper procedures.

(Ord. 1587, exh. A, 4-25-2017, eff. 5-18-2017; Ord. 1608, exh. A, 8-28-2018, eff. 9-20-2018; Ord. 1682, exh. A, 8-23-2022, eff. 9-15-2022)

## 9-14-2. DEFINITIONS.

**BUREAU OF RECLAMATION (BOR):**Is part of the U.S. Department of the Interior entrusted with the management of the Colorado River.

**COMMUNITY USE RECREATIONAL TURF:** Any private or public park facility with the following characteristics:

1. A turf-dominated, multi-purpose recreational area of at least two-acres but not less than 100 feet wide in any dimension.
2. Accessible to at least twenty-five dwelling units or households.

**COMMON AREA:** Area held in common by an established Homeowners Association.

**COMMUNITY GARDEN:** Group of plots of land rented by individuals or groups to garden.

**CUSTOMER:** Any person who is an owner, occupant, manager or user of real property to which water is supplied by Boulder City's water system, any person who uses water supplied by Boulder City's water system, or any person

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who otherwise has the right or permission to utilize water provided by Boulder City's water system, but does not include any firefighting department or agency.

DIRECTOR: The [Utilities] **Public Works** Director.

MAN-MADE LAKE: Any body of water manufactured, created, or constructed by human beings.

NON-FUNCTIONAL TURF: An irrigated grass area not providing functional use. Areas of nonfunctional turf include, but are not limited to:

1. Streetscape turf: Grass located along public or private streets, streetscape sidewalks, driveways and parking lots, including turf within a community, park and business streetscape frontage areas, medians, and roundabouts.
2. Frontage, courtyard, interior and building-adjacent turf: Grass in front of, between, behind or otherwise adjacent to a building or buildings located on a property not zoned exclusively for single-family residence, including maintenance and common areas.
3. Certain HOA-managed landscape areas: Turf managed by a homeowner association that does not provide a recreational benefit to the community or that otherwise does not qualify as functional turf, regardless of property zoning.

NON-POTABLE WATER: Water not suitable for drinking.

ONE ACRE-FOOT OF WATER: Equivalent to 325,851 gallons of water.

POTABLE WATER: Water suitable for drinking.

RAW WATER: Water not suitable for human consumption without treatment.

RECLAIMED WATER: Municipal wastewater processed to reduce contaminants. Not suitable for human consumption.

SOUTHERN NEVADA WATER AUTHORITY (SNWA): An organization formed by local agencies with an inter-local agreement to address Southern Nevada's water needs on a regional basis.

SYRINGING: Process of applying small amounts of water to wet the turf canopy. Syringing cools the turf through evaporation of water from the leaf surface, which can help turf survive during mid-day stress periods.

TURF: The upper stratum of soil bound by grass and plant roots into a thick mat.

XERISCAPE: 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 turf grass landscaping. Can be referred to as water smart landscaping.

(Ord. 1587, exh. A, 4-25-2017, eff. 5-18-2017; Ord. 1682, exh. A, 8-23-2022, eff. 9-15-2022)