



Las Vegas

Agenda Item No.: 48.

**AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 16, 2008**

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

Consent Discussion

SUBJECT: Hearing to consider the appeal regarding a (10) Day Vacate Nuisance Notice and Order to Comply located at 12 North 2nd Street. **PROPERTY OWNERS:** WILLIAM & CONCEPTION FALLAW, Wards (K Reese)

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010, dealing with nuisances and Section 202 of the Uniform Housing Code. A Ten (10) Day Vacate Nuisance Notice and Order to Comply was mailed to the property owner to correct the public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010, dealing with nuisances and Section 202 of the Uniform Housing Code. A copy of the notice was also posted on the property. Today's hearing is to consider the Appeal to the Ten (10) Day Vacate Nuisance Notice and Order to Comply filed by William H. Fallaw, owner and responsible party.

RECOMMENDATION:

Staff recommends that the City Council approve the Ten (10) Day Vacate Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Ten (10) Day Vacate Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal

Motion made by GARY REESE to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICKI Y. BARLOW)

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and Recommendation sections.

A videotape was show but a copy was not submitted.

COUNCILMAN REESE requested the ward and council representative be corrected to reflect Ward 3 (Reese).

ASSISTANT CITY ATTORNEY JOHN REDLEIN explained that the property owners, WILLIAM and CONCEPCION FALLAW, had filed an appeal and were expected to appear. According to the Uniform Housing Code, any building that is within 300 feet of available electricity must be hooked up. He stated that the property owners failed to comply with the Uniform Housing Code and the Municipal Code, therefore the Order to Vacate is proper.

Responding to COUNCILMAN REESE, ASSISTANT CITY ATTORNEY JOHN REDLEIN confirmed that the property owner was stealing electricity by hooking up to his neighbors house. MR. SMITH noted that at the present time there are people living in the residence who are without power. MR. SMITH stated that as soon as approved, the Notice to Vacate will be posted.

MAYOR GOODMAN declared the Public Hearing closed.

