



NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN HARSIN, AICP

NOTICE AND ORDER

Requestor:
LAS VEGAS CITY
05/29/2008 12:42:19 T20080101051
Book/Instr: 20080529-0002409
Notice Page Count: 3
Fees: \$16.00 N/C Fee: \$0.00

Debbie Conway
Clark County Recorder

APN: 139-35-716-007

May 23, 2008
Case #64438

*Certified and Regular Mail
Return Receipt Requested*

Concepcion P. and William Fallaw
121 N 21st Street
Las Vegas, NV 89101-4501

TEN (10) DAY VACATE NUISANCE NOTICE AND ORDER TO COMPLY

As recorded owner(s) of the building(s) located at **121 N 21st Street, Las Vegas, NV**, legally described as **Parcel #139-35-716-007**, you are hereby given notice that the Building Official or his designee has determined that the aforementioned building(s) is substandard and dangerous. Said building(s) is substandard and dangerous and declared a public nuisance as described under Las Vegas Municipal Code (LVMC) 9.04.010 and Section 202 of the Uniform Housing Code and, therefore, *must be vacated*.

The following is a brief description of the violations:

Per 9.04 Refuse & Waste: Remove any visible non-usable materials, goods, etc. from all yards and other areas to comply with code, i.e., wood, tires, tarps, buckets, boxes, etc.

Per 9.04 Weeds/Turf: Trim, cut, remove all weeds/turf grass exceeding eight (8) inches in height in all yards.

Per 9.12 Outside Storage: Remove all visible storage of materials and goods from all yards and other areas to comply with code, i.e., wood, tires, tarps, buckets, boxes, etc.

Per 16.20 Housing Codes:

Electrical Violations:

1994 Uniform Housing Code 1001.5 Hazardous Electrical Wiring.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN

MAYOR PRO TEM GARY REESE • LARRY BROWN • STEVE WOLFSON • LOIS TARKANIAN
STEVEN D. ROSS • RICKI Y. BARLOW
CITY MANAGER DOUGLAS A. SELBY

Return to: CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.6615 • FAX 702.382.4341 • TTY 702.386.9108 • www.lasvegasnevada.gov ♻️

Where there is electrical power available within 300 feet (91 440 mm) of any building, such building shall be connected to such electrical power.

Power is required to have occupancy in the building.

**1994 Uniform Housing Code Section 1103 Repair Vacation and Demolition
1994 Uniform Housing Code Section 1204 Staying of Order Under Appeal**

In the case of a notice and/or order to vacate in the interest of protecting life, limb, property or safety, the building official may order the immediate vacation and securing of a structure pending the deposition of an appeal.

Property is substandard and uninhabitable and has been posted sub-standard, dangerous, and declared a public nuisance under Section 202 and 401 of the 1994 Uniform Housing Code. Property must be vacated by **June 3, 2008**. Property must remain vacant and secured until all required repairs are made.

Contact officer to set up appointment after electrical service has been restored.

Upon correction of violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain properly in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #25 at (702) 229-5948 to supply your current phone number, e-mail address, fax number, or additional mailing address.

Because the building(s) is substandard and deemed untenable, the Building Official or his designee orders **Concepcion P. and William Fallaw**, owner(s) of the building, to vacate the building(s) by **June 3, 2008**. You must contact the City of Las Vegas Neighborhood Response Division at (702) 229-6615 when the building(s) has been vacated and all openings (i.e. windows, doors) are boarded and secured. Before re-entry, the building(s) or any portion of it needs to be inspected and approved prior to occupancy.

If these orders are not complied with, you are hereby given notice that the Building Official or his designee will proceed to vacate the building(s), cut off electrical power secure the building and charge the cost against the property or its owner(s). As the property owner(s), you will be responsible for all costs incurred. In this event, you will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall be filed with the County Recorder's Office, certified copies of the lien given to the County Treasurer, and the amount of the Lien of Assessment shall then be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessment.

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the council's designee, in cases where a owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

BY ORDER OF



Rod Clark, Certified Building Official
Department of Building and Safety

RC:DS:ld