

# Memorandum

## Neighborhood Services Department

To: Beverly K. Bridges, City Clerk  
 From: Devin S. Smith, Manager Neighborhood Response Division  
 CC: File  
 Date: October 29, 2008  
 Re: Report of Expenses for the mitigation abatement of vacant or abandoned building located at 225 W. Cleveland Avenue - Ward 3 (Reese)

*LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the nuisance 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.*

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for Vacant or Abandoned Building, the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all refuse, waste, trash, debris, and all weeds and grass exceeding eight (8) inches in height. The abatement was completed by Weaver Construction, Inc. on September 17, 2008 at a cost of \$1,250.00, which was accepted by the Department of Neighborhood Services.

<b>Contract Amount Breakdown:</b>	
Removal of refuse and waste, trash, and debris	\$475.00
Remove all weeds and grass exceeding eight (8) inches in height	\$775.00
<b>AMOUNT DUE:</b>	\$1,250.00
Administrative Processing Fee:	\$187.50
Sub-Total:	\$1,437.50
Reinspection Fees (w/late fee):	\$990.00
Civil Penalty Fees:	\$2,300.00
<b>TOTAL AMOUNT DUE:</b>	<b>\$4,727.50</b>
<b>Daily Civil Penalties 591 days @ \$500 a day (excluding fees already assessed) February 5, 2007 to September 17, 2008</b>	<b>\$293,200.00</b>
<b>Maximum Total:</b>	<b>\$297,927.50</b>
<b>OWNER OF RECORD:</b>	JOHNCYN DEVELOPMENT LLC
<b>PROPERTY ABATED:</b>	225 W. Cleveland Avenue
<b>ASSESSOR PARCEL:</b>	162-04-813-034
<b>LEGAL DESCRIPTION:</b>	MEADOWS ADD
	PLAT BOOK 1 PAGE 43
	LOT 8 BLOCK 10 & LOT 9

DSS:jl