

Edward G. Marshall

Attorney and Counselor

324 SOUTH THIRD STREET
LAS VEGAS, NEVADA 89101

TELEPHONE 384-7162
AREA CODE 702

16 July 2004

NEIGHBORHOOD SERVICES DEPARTMENT
Code Enforcement
City of Las Vegas
400 E. Stewart Ave, 2nd Floor
LV 89101

RE: NUISANCE CORRECTION NOTICE
FINAL NOTICE

Please refer to the attached Notice just received.

A previous notice was sent to me. I am the owner of the property at 322 Wall Street, LV 89102. My property has been the subject of vicious and continuing graffiti artists for the past year.

I am thrilled that the City is seemingly doing something to clean up the neighborhood. Commendations for that.

However, I strongly protest the procedure that is being employed here.

When the previous notice was received, my son and I worked over the July 4 weekend to paint out all the graffiti on our building. Everything was shipshape by July 7.

Now the graffiti is back and you have sent me a new threatening notice. New graffiti covers my building.

THIS LETTER IS A FORMAL LEGAL DEMAND. I demand that the City provide some police enforcement in the neighborhood. The graffiti was painted out at great cost and inconvenience since July 4 weekend was extremely hot. Being up on a hot roof in such inclement weather is no fun.

It is useless for me to go back and repaint my building until Metro and the City provide some effective protection and law enforcement in the area. It would take very little for a surveillance team to catch the perpetrators in the very act. This hasn't happened because apparently no police resources have been put on the job.

Submitted at City Council

Date 11/19/08 Item #39

Destroying a building with graffiti, then summoning the code enforcement authorities to apply correction pressure, is one of the oldest Mafia tricks in the book.

My building's problem was completely solved and resolved as of July 7. Now new graffiti has been inflicted upon my building by the thugs who are doing this. Where is Metro? Where is City law enforcement? Where have you been during all the past period of time when this problem was allowed to arise and fester. I assure you the owners of the buildings on Wall and Western streets are not painting this graffiti themselves.

I will not repaint my building until some assurance has been given that adequate police resources are being directed to catch these culprits and stop them. Then when that has been accomplished, I will very happily repaint the offensive graffiti that these criminals have been painting.

And I will be happy to see the City and Metro in court, if necessary, as much as I do not want this kind of battle. I will have no problem obtaining support from my neighbors with whom I have already discussed this situation.


EDWARD G. MARSHALL

COPIES: 3

Sheriff Bill Young
Mayor Oscar Goodman
City Attorney Jerbic
Howard Ickes
Jim Sapp
T. J. Wholesale
Refrigeration Supplies
Miscellaneous by Distribution

FINAL NOTICE

City of Las Vegas
NEIGHBORHOOD SERVICES DEPARTMENT
NEIGHBORHOOD RESPONSE - CODE ENFORCEMENT
400 E. Stewart Ave., 2nd Floor, Las Vegas, NV 89101
NUISANCE CORRECTION NOTICE

FINAL NOTICE

Case# 16452 Location 322 Wall St.

LVMC 9.04.045 Authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$45.00 per hour, one hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

9.04.010(H) Responsible party means any tenant, occupant, lessor, lessee, manager, licensee or other person having control over a structure or parcel of land in the City.

I have inspected this property and have found the following nuisance violation(s) of Las Vegas Municipal Code(s):

9.04.010(D) IMMINENT HAZARD means any condition associated with real property that places a person's life, health or property in high risk of peril when such condition is immediate, impending, or on the point of happening or menacing.

9.04.010(G) PUBLIC NUISANCE or nuisance activity means any of the following conditions:

Attractive Nuisance: Any area, structure or object, which by its nature, location and/or character would tend to attract and endanger the safety of any minor person.

International Building Code: Any violations of the International Building Code.

Polluted Water: *Pool Code requirements attached.
Any body of water which by its nature and/or location constitutes an unhealthy or unsafe condition.

Refuse and Waste: Any material, regardless of its market value, which, by reason of its location and/or character, is unsightly or interferes with the reasonable use and enjoyment of adjacent properties; or which has a detrimental effect upon adjacent property values; or which would hamper or interfere with the containment of fire upon the premises.

Sub-section (a): Including but not limited to wood, lumber, cans, boxes, tires, rags, appliances, brush, grass, tree limbs, buckets, glass, paper, mattresses, discarded furniture, auto parts, broken concrete, rocks, scrap metal, plastic cartons, and newspaper.

Sign Violation: Any sign which is in violation of Title 19 of this Code.

Zoning Violation: Any violation of Title 19 of this Code.

Nuisances in General: Including, but not limited to, the following:

- a) Weeds and turf grass in plain view of the front yard on a developed parcel or vacant parcel exceeding eight (8) inches in height.
- b) Graffiti defined as the unauthorized spraying of paint, ink, chalk, dye or other similar marking substances on public or private buildings, walls, fences or other structures allowed to remain for more than 24 hours.
- c) Unpainted or painted building, walls, fences or other structures upon which the condition of the structure has become so deteriorated as to permit decay, excessive cracking, peeling, chalking, dry rot, warping or termite infestation.
- d) Criminal activity on any lot or premises within the City.

Remarks: Final Notice to Remove Graffiti from building & maintain. Located front window, top of parapet. Fees will continue until abated.

This will serve as notice that you have until 7/20/04 to bring the property into compliance with Las Vegas Municipal Code (LVMC). If after this date, the property is not brought into compliance, criminal and civil prosecution may be sought concurrently in accordance with LVMC 9.040.020. The penalty for such criminal violation(s), upon conviction, is a fine not exceeding one thousand dollars or imprisonment for a term not exceeding six (6) months, or any combination of such fine and imprisonment. Furthermore, each day that a violation continues to exist constitutes a separate offense.

- \$75 Initial Reinspection Fee
- \$45 Reinspection Fee
- This is a neighborhood clean-up.
- Copy mailed/delivered/faxed to Owner's Address.
- Final Notice/Fee Assessed
- Repeated violation within 1 year of compliance will automatically be assessed a \$75 reinspection fee.

Date of previous offense _____

If you have any questions, please call 229-4917

Inspector WAKE Date 7/14/04

Re-inspection Date 7/20/04