



NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN K. HARSIN, AICP

NOTICE AND ORDER

Receipt/Conformed Copy

Requestor:
LAS VEGAS CITY
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Debbie Conway
Clark County Recorder

APN: 139-30-711-040

February 4, 2009

Case #73960

*Certified/Regular Mail
Return Receipt Requested and
Via Facsimile*

Nolea J. Velasco
824 Langtry Dr.
Las Vegas, NV 89107-2025

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

As recorded owner(s) of the building(s) located at **824 Langtry Dr., Las Vegas, NV**, legally described as **Parcel 139-30-711-040**, 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 (LVCMC) 9.04.020 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.

(1) Refuse – all yards to include debris within vehicles or trailer on property, discarded water softener on side yard or any piled litter.

Per 16.20 Housing Codes -

HOUSING VIOLATIONS: PERMITS REQUIRED

(1) Permit Required – Obtain permits and all required inspections for all revisions or additions to residence, to include, garage conversions, bedroom conversions, removal of rear slider, added storage room to south side yard (no setback).

(2) Exterior windows – Replace all cracked windows with glass pane.

LAS VEGAS CITY COUNCIL

MAYOR OSCAR B. GOODMAN

MAYOR PRO TEM GARY REESE . STEVE WOLFSON . LOIS TARKANIAN
STEVEN D. ROSS . RICKI Y. BARLOW . DAVID W. STEINMAN (INTERIM)

CITY MANAGER ELIZABETH N. FRETWELL

CITY OF LAS VEGAS . 400 STEWART AVENUE . LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 . FAX 702.382.4341 . TDD 702.302.3045 . www.lasvegasnevada.gov

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2-18

(4) Sprinkler system – Transformer must be connected to a dedicated outlet (no extension cord).

9.04.010(2) - Any violation of Title 16, including violations of the codes pertaining to building, construction, housing, and fire safety adopted there under.

LVMC 16.20.010 A - Uniform Housing Code

1994 Uniform Housing Code Chapter 2 Enforcement

Section 202 substandard Buildings

Buildings or portions thereof which are determined to be substandard as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Chapter 11 of this code.

1994 Uniform Housing Code Chapter 4 Definitions

Section 401 Definitions

Nuisance. The following shall be defined as nuisances:

1. Any public nuisance known at common law or in equity jurisprudence, or identified in Chapter 9.04 of the Las Vegas Municipal Code, as it may be amended from time to time.

1994 Uniform Housing code Chapter 8 Exits

1994 Uniform Housing Code Chapter 10 Substandard Buildings

1001.2 Inadequate Sanitation.

Buildings or portions thereof shall be deemed substandard when they are unsanitary. Inadequate sanitation shall include, but not limited to, the following:

8. Lack of minimum amounts of natural light and ventilation required by this code.

HOUSING VIOLATIONS: PERMITS REQUIRED

Inadequate exits or obstructions – Obtain permits for bedroom additions so that adequate exits are provided. Illegal addition/accessory building – Remove unpermitted storage room from South side of house.

16.04.010 Uniform Code, Standards, supplement adopted.

16.04.010 (C) -The publication entitled the "International Residential Code for One-and Two-Family Dwellings, 2006 Edition" (also known as the "International Residential Code, 2006 Edition"), as modified herein, including all chapters and Appendices, except as otherwise specified. This publication, as modified, is designated as Part 3 of this Chapter.

16.04.010 (D) – The document entitled “southern Nevada Amendments to the 2006 International Residential Code”, which amends, by adding to and deleting from, certain sections of the International Residential Code, 2006 Edition. This document is adopted as Part 4 of this Chapter.

**SECTION R105
PERMITS**

R105.1 Required.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

16.04.040 Conformance required.

It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, occupy or maintain any building or structure in the City or to cause the same to be done, contrary to or in violation of any of the provisions of this Chapter, and, upon conviction thereof, such person shall be punished by a fine of not more than one thousand dollars or imprisonment for not more than six months, or by any combination of such fine and imprisonment. Every day, or portion thereof, in which a violation is committed, continued or permitted, shall be a separate offense.

Remove structure on south side of residence and all interior changes of additional bedrooms or obtain all required permits and inspections.

Electrical Violation:

1994 UHC 701.2 Electrical Equipment

All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws. All electrical equipment shall be of an approved type.

1994 Uniform Housing Code 1001.5 Hazardous Electrical Wiring.

Hazardous wiring – Electrical cord must be removed from sprinkler system transformer.

1994 Uniform Housing code Section 1103 Repair Vacation and Demolition:

1. Any building declared a substandard building under this code shall be made to comply with one of the following:

1.1 The building shall be repaired in accordance with the current Building code or other current code applicable to the type of substandard conditions requiring repair; or

1.2 The building shall be demolished at the option of the building owner; or

1.3 If the building does not constitute an immediate danger to the life, limb, property or safety of the public, it may be vacated, secured and maintained against entry.

2. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or of the occupants, it shall be ordered to be vacated.
3. If any building is vacated in order for repairs to be made in compliance with an order issued under this code, a certificate of occupancy must be obtained upon completion of the repairs before pre-occupancy will be permitted.

1994 Uniform Housing Code Section 1204 – Staying of Order Under Appeal

In the case of a notice and 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 **February 17, 2009**. Property must remain vacant and secured until all required repairs are made.

Contact officer #17 Stephanie Demoleas at (702) 229-5104, to advise timeline of repairs. Interior inspection must be performed and repairs verified before it can be re-occupied.

Failure to comply with this notice will result in further enforcement action.

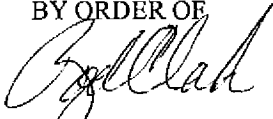
Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

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.

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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 designee hears an appeal and no further appeal is taken, shall be final and conclusive. An 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

A handwritten signature in cursive script, appearing to read "Rod Clark", written in black ink.

Rod Clark, Certified Building Official
Department of Buildings and Safety

RC:DS:lm