

Memorandum

City of Las Vegas Neighborhood Services Department

To: Beverly K. Bridges, City Clerk

From: Devin S. Smith, Manager Neighborhood Response Division

CC: File

Date: March 18, 2009

Re: Report of Expenses for the abatement of Nuisance located at 5724 Taj Mahal Drive - Ward 6 (Ross)

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 Nuisance, the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all refuse and waste including damaged decorative fencing and debris, trim, cut, remove all weeds/turf grass exceeding eight 8 inches in height in all yards. The abatement was completed by 702 Services on November 21, 2008 at a cost of \$1,000, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Removal of refuse and waste including damaged decorative fencing and debris	\$600.00
Trim cut, remove all weeds/turf grass exceeding 8 inches in height in all yards	\$400.00
AMOUNT DUE:	\$1,000.00
Administrative Processing Fee:	\$150.00
Sub-Total:	\$1150.00
Reinspection Fees (w/late fee):	\$924.00
Civil Penalty Fees:	\$1450.00
TOTAL AMOUNT DUE:	\$3,524.00
Daily Civil Penalties 85 days @ \$500 a day (excluding fees already assessed) August 29, 2008 November 21, 2008	\$41,200.00
Maximum Total	\$44,724.00
OWNER OF RECORD:	Henry Bennett
PROPERTY ABATED:	5724 Taj Mahal Drive
ASSESSOR PARCEL:	125-27-812-006
LEGAL DESCRIPTION:	GRAND ENTRIES PHASE 3
	PLAT BOOK 61 PAGE 66
	LOT 241 BLOCK 6

DSS:td