

# Memorandum

## City of Las Vegas Neighborhood Services Department

To: Beverly Bridges, CMC, City Clerk  
From: Devin S. Smith, Manager Neighborhood Response Division  
CC: File  
Date: October 27, 2009  
Re: Report of Expenses for the abatement of nuisance located at 1429 Virgil Street - 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 Nuisance, the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all trash, debris, high or dead vegetation, non-permitted metal shed and carport, and posting a No Trespass sign. The abatement was completed by American Demolition on August 31, 2009 at a cost of \$1,409.00, which was accepted by the Department of Neighborhood Services.

|                                                                                                                                    |                      |
|------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Contract Amount Breakdown:</b>                                                                                                  |                      |
| Remove all trash and debris                                                                                                        | \$350.00             |
| Remove all high or dead vegetation                                                                                                 | \$300.00             |
| Remove non-permitted shed and carport                                                                                              | \$750.00             |
| Post No Trespass sign                                                                                                              | \$9.00               |
| AMOUNT DUE:                                                                                                                        | \$1,409.00           |
| Administrative Processing Fee:                                                                                                     | \$211.35             |
| Sub-Total:                                                                                                                         | \$1,620.35           |
| Reinspection Fees (w/late fees):                                                                                                   | \$924.00             |
| Civil Penalties:                                                                                                                   | \$1,450.00           |
| <b>TOTAL AMOUNT DUE:</b>                                                                                                           | <b>\$3,994.35</b>    |
|                                                                                                                                    |                      |
| Daily Civil Penalties 52 days @ \$500 a day<br>(excluding civil penalty fees already assessed)<br>July 11, 2009 to August 31, 2009 | \$24, 550.00         |
| <b>MAXIMUM TOTAL:</b>                                                                                                              | <b>\$28,544.35</b>   |
|                                                                                                                                    |                      |
| <b>OWNER OF RECORD:</b>                                                                                                            | WILLIAM M. MARSHALL  |
| <b>PROPERTY ABATED:</b>                                                                                                            | 1429 VIRGIL ST       |
| <b>ASSESSOR PARCEL:</b>                                                                                                            | 140-30-111-058       |
| <b>LEGAL DESCRIPTION:</b>                                                                                                          | NOVA PARK UNIT #3    |
|                                                                                                                                    | PLAT BOOK 23 PAGE 35 |
|                                                                                                                                    | LOT 9 BLOCK 5        |

DSS:ld