



AGENDA MEMO

CITY COUNCIL MEETING DATE: November 18, 2009

DEPARTMENT: Metropolitan Police

ITEM DESCRIPTION: Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 2001 Fremont Street, Unit 114.

PROPERTY OWNER: HAROLD G. SWEET JR. - Ward 3 (Reese)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 and 9.040.020, dealing with nuisances. A Notice and Declaration of Chronic Nuisance was sent to the property owners requesting they correct the nuisance per Title 9.

On October 15, 2009, a Search Warrant was served at 2001 Fremont Street, Unit 114 by the Las Vegas Metropolitan Police Departments Downtown Area Command Problem Solving Unit. The Warrant was the result of Narcotics being sold out of Unit 114.

Property owner was requested to take any and all steps necessary to abate the above nuisance immediately. The deadline date given to correct and abate this nuisance was November 6, 2009. The following actions were suggested:

- Immediate Eviction of tenants at 2001 Fremont, Unit 114
- Immediate Eviction of all future problem tenants; especially including those involved in criminal activity
- Background checks on future tenant
- More active role of the managers and property owners in managing the property.
- Better screening of potential tenants

This conduct constitutes a Chronic Nuisance as defined by Las Vegas Municipal Code 9.04.010. Pursuant to Las Vegas Municipal Code 9.040.020, every person who causes or maintains a public nuisance or chronic nuisance, or who wilfully omits or refuses to perform any legal duty relating to the abatement of such a nuisance.

1) Shall be guilty of a misdemeanor; or
2) Shall be liable civilly to the City and, upon such finding based upon substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation.

(B) Each day that a violation of this Section continues, whether pursued criminally or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.