

2010 JAN -5 P 3: 32

January 5, 2010

Beverly K. Bridges
City Clerk
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101

VIA HAND DELIVERY

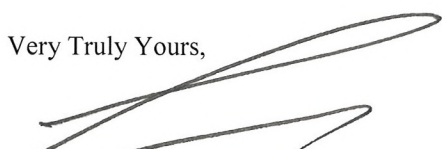
REF: 4805 Stoney Beach Cir.
Case #75604

Dear Beverly;

We are in receipt of abatement violation notices for this property dating back to July 2, 2009. Please be advised that we acquired title to this property via foreclosure sale on or about September 2, 2009 and were unaware of the outstanding cleanup bill in the amount \$1,334.50 owing to the city. We are prepared to pay this outstanding bill. However, we are not in agreement with the potential \$500.00 daily fine that you have presented in your correspondence. We are prepared to litigate the matter should the city pursue collection of the potential daily fines.

Please see the attached photos dated December 31, 2009 and you will find that the property has been landscaped and is much more presentable at this time. Please advise us of your decision as soon as possible.

Very Truly Yours,


Kory Scheeler
Manager

Submitted after final agenda

Date 1/5/2010 Item #59



4805 STONEY BEACH REAR YARD VIEW DECEMBER 31, 2009



4805 STONEY BEACH FRONT VIEW DECEMBER 31, 2009



LAS VEGAS CITY COUNCIL

MAYOR
OSCAR B. GOODMAN

GARY REESE, WARD 3
(MAYOR PRO-TEM)
STEVE WOLFSON, WARD 2
LOIS TARKANIAN, WARD 1
STEVEN D. ROSS, WARD 6
RICKI Y. BARLOW, WARD 5
STAVROS S. ANTHONY, WARD 4

CITY MANAGER
ELIZABETH N. FRETWELL

NEIGHBORHOOD
SERVICES DEPARTMENT

DIRECTOR
STEPHEN K. HARSIN, AICP

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.2330
FAX 702.598-3938
TTY 702.386.3045
www.lasvegasnevada.gov

December 4, 2009

CASE #75604
Certified/Regular Mail
Return Receipt Requested

K E C J, LLC
3430 Bunkerhill Drive, #1
N Las Vegas, NV 89032-6012

RE: 4805 Stoney Beach Circle

Dear Property Owner:

On July 2, 2009, the City of Las Vegas caused the above-referenced property to be corrected by removing all high weeds, grass and debris from front and side yards, and removing all boxes, trash and household items from carport area.

The Department of Neighborhood Services has submitted a Report of Expenses to the City Clerk.

At the City Council meeting to be held on December 16, 2009, a date and time for a public hearing will be set to consider the Report of Expenses. A tentative date for the public hearing is January 6, 2010. You will, however, be mailed appropriate notification.

For your information, a copy of the Report of Expenses is enclosed.

If you have any questions concerning this procedure, please contact the Neighborhood Response Division located in the Department of Neighborhood Services, by telephoning (702) 229-6615.

Sincerely,

A handwritten signature in black ink, appearing to read "Devin S. Smith".

Devin S. Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:ld

cc: Nimrod J. Ramey TRS, 4805 Stoney Beach Circle, Las Vegas, NV 89110-1532

Memorandum

City of Las Vegas Neighborhood Services Department

To: Beverly Bridges, MMC, City Clerk
From: Devin S. Smith, Manager – Neighborhood Response Division
CC: File
Date: December 4, 2009
Re: Report of Expenses for the abatement of nuisance located at 4805 Stoney Beach Circle - 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 high weeds, grass and debris from front and side yards, and removing all boxes, trash and household items from carport area. The abatement was completed by GraEagle Construction on July 2, 2009 at a cost of \$310.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Remove all high weeds/grass and debris from front and side yards	\$145.00
Remove all boxes, trash and household items from carport area	\$165.00
AMOUNT DUE:	\$310.00
Administrative Processing Fee:	\$46.50
Sub-Total:	\$356.50
Reinspection Fees (w/late fees):	\$528.00
Civil Penalties:	\$450.00
TOTAL AMOUNT DUE:	\$1,334.50
Daily Civil Penalties – 83 days @ \$500 a day (excluding civil penalty fees already assessed) April 11, 2009 to July 2, 2009	\$41,500.00
MAXIMUM TOTAL:	\$42,384.50
OWNER OF RECORD	K E C J, LLC
PROPERTY ABATED:	4805 STONEY BEACH CIRCLE
ASSESSOR PARCEL:	140-29-614-009
LEGAL DESCRIPTION:	LAS VEGAS #4 LEWIS HOMES AMD
	PLAT BOOK 13 PAGE 81
	LOT 18 BLOCK 5

DSS:ld



NOTICE OF PUBLIC HEARING

JANUARY 6, 2010

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON

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ELIZABETH N. FRETWELL
CITY MANAGER

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, JANUARY 6, 2010**, at the hour of **1:00 P.M.** in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services for:

Abatement of the violations on the property located at **4805 STONEY BEACH CIRCLE**. The Director of Neighborhood Services certifies that the sum of **\$1,334.50** was expended and Civil Penalties in the sum of **\$46,050.00** may be imposed for a total of **\$47,384.50**. Owner of record at time of abatement: **K E C J, LLC - WARD 3 (REESE)**

If the City Council is satisfied with the report, it may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with the City Clerk any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

BEVERLY K. BRIDGES
CITY CLERK

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