

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: January 12, 2010
Re: Report of Expenses for the abatement of nuisance located at 7600 Botany Bay Drive - Ward 4 (Anthony)

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 and high/dead vegetation. The abatement was completed by Weaver Construction on September 15, 2009 at a cost of \$580.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Remove all trash	\$100.00
Remove all high vegetation	\$145.00
Remove all dead vegetation	\$335.00
AMOUNT DUE:	\$580.00
Administrative Processing Fee:	\$87.00
Pool pumped by RRT	\$350.00
Sub-Total:	\$1,017.00
Reinspection Fees (w/late fees):	\$1,518.00
Civil Penalties:	\$2,950.00
TOTAL AMOUNT DUE:	\$5,485.00
Daily Civil Penalties 68 days @ \$500 a day (excluding civil penalty fees already assessed) July 10, 2009 to September 15, 2009	\$31,050.00
MAXIMUM TOTAL:	\$36,535.00
OWNER OF RECORD	CHARLES C. SPIELMAN
PROPERTY ABATED:	7600 Botany Bay Drive
ASSESSOR PARCEL:	138-16-617-036
LEGAL DESCRIPTION:	MOONLIGHT BAY UNIT 2 PLAT BOOK 43 PAGE 37 LOT 18 BLOCK 1

DSS:ld