

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 28, 2010
Re: Report of Expenses for the abatement of nuisance located at 9136 Black Elk Avenue - 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 raw sewage in front yard rock area, removing contaminated soil and placing in trash bags, spreading lime on contaminated area, and replacing missing cap on sewer clean out in front yard with permanent type. The abatement was completed by ADS Environmental on December 2, 2009 at a cost of \$500.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Remove raw sewage in front yard rock area. Remove contaminated soil, place in trash bags, and spread lime on contaminated area.	\$480.00
Replace missing cap on sewer clean out in front yard with permanent type.	\$20.00
AMOUNT DUE:	\$500.00
Administrative Processing Fee:	\$75.00
Sub-Total:	\$575.00
Reinspection Fees (w/late fees):	\$1,320.00
Civil Penalties:	\$2,450.00
TOTAL AMOUNT DUE:	\$4,345.00
Daily Civil Penalties 90 days @ \$500 a day (excluding civil penalty fees already assessed) September 4, 2009 to December 2, 2009	\$42,550.00
MAXIMUM TOTAL:	\$46,895.00
OWNER OF RECORD	TAYLOR BEAN & WHITAKER MTGE CORP
PROPERTY ABATED:	9136 Black Elk Avenue
ASSESSOR PARCEL:	125-05-314-027
LEGAL DESCRIPTION:	SPRING MOUNTAIN RANCH UNIT 60-
	PHASE 3
	PLAT BOOK 112 PAGE 53
	LOT 49 BLOCK 1

DSS:ld

